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MANUAL

OF

PRESBYTERIAN LAW AND USAGE,

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Ecclesiastical and Parliamentary Rules and Regulations

FOR THE GUIDANCE OF

CONGREGATIONS AND CHURCH COURTS,

IN ALL

PROCESSES AND PROCEEDINGS UNDER THE CONSTITUTION AND FORM OF GOVERNMENT OF THE PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA.

COMPILED BY

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PREFACE.

The object of the compilers has been by no means to make laws or to prescribe rules for the Church, but rather to present in a simplified and systematic form those which are already established and in use, for regulating and directing the order of proceedings in all matters pertaining to the Church, its ministry, and membership; and for this purpose they have arranged their work in chapters and paragraphs, which follow each other as far as may be in logical succession. The paragraphs, for the sake of convenience, are marked by the Arabic figures, beginning with number one, and running on throughout the entire volume. Where the paragraphs could be given in the exact language of the authority cited from, together with a reference to the authority itself, this has been done. Where it seemed necessary, from the exigencies of syntax, to change the language of the authority without affecting the sense, this has likewise been done. In some instances the compilers

have had no guide but what they conceived to be the general usage of the Church, or that which seemed to be clearly and naturally deduced from well-known and established principles.

When such paragraphs occur, the reason for embodying them in such a work as this must be determined from their intrinsic import, or from their obvious relation to the subject concerning which they are proposed.

That this was the plan adopted by Jefferson and Cushing, in forming their Manuals of Parliamentary Law, is clear from the language of one of them upon this very point: "Sometimes," says Jefferson, "each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the text, the residue being inferred from known rules and principles. For some of the most familiar forms no written authority is or can be quoted: no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their authority." Another object of the compilers has been to avoid prolixity and unnecessary repetition of references, while they have endeavored to embody all requisite forms and principles from the sources of authority to which they have had access.

The abbreviations will be readily understood by those who are familiar with the subject; but for those who need explanation the following may suffice:

B. D., for Book of Discipline.

C. F., for Confession of Faith.

D. W., for Directory of Worship.

F. G., for Form of Government.

G. A., for General Assembly, &c.

G. A. Rule, for General Assembly's Rules.

M. G. A., for Minutes of the General Assembly.

M. N. S. G. A., for Minutes New School General Assembly.

M. O. S. G. A., for Minutes Old School General Assembly.

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INTRODUCTION.

THE first churches of the Presbyterian order planted in this country were formed in Maryland, between the years of 1670–80. Other churches of the same order soon followed in most of the Colonies, and were scattered along the Atlantic coast.

In 1706 the first Presbytery was organized, and was styled "The Presbytery of Philadelphia." In 1716 the first Synod was formed, consisting of the four Presbyteries of Philadelphia, New Castle, Snow Hill, and Long Island. It was styled "The Synod of Philadelphia."

From the period of the formation of this Synod the body rapidly increased, by additions from New England and the Jerseys, and the tide of emigrants from Scotland, Ireland, Wales, France, Holland, and Switzerland.

Thus the Colonial Presbyterian Church early assumed a heterogeneous character, and the harmony of its views was seriously impaired. The most prominent points which excited a conflict of opinion were the conditions of the reception of candidates for the Gospel ministry, and the strict adherence to presbyterial order. Two parties were thus produced, called the "Old Side" and the "New Side."

In 1741 the Synod was rent asunder, the "Old Side" remaining under the title of "The Synod of Philadelphia," and the "New Side" assuming the organization and title of "The Synod of New York."

The Synod of Philadelphia more particularly patronized the academies of New London and Newark, in the Delaware Colony; while the Synod of New York established the College of New Jersey, which was finally located at Princeton.

In 1758, however, the two Synods were reunited, under the title of "The Synod of New York and Philadelphia."

In 1785, the independence of the United

States having been established, the reunited Synod commenced measures looking to the adoption of a form of government for the Church suited to its condition in the new Republic. A committee was appointed "to take into consideration the constitution of the Church of Scotland, and other reformed Churches," and to form a complete system for the organization of the Presbyterian Church in the United States.

In 1788 this work was completed, by dividing the old Synod into the four Synods of New York and New Jersey, Philadelphia, Virginia, and the Carolinas, and constituting over these, as a bond of union, a General Assembly, similar to the General Assembly of the Church of Scotland. The Westminster Confession of Faith with three slight alterations, and the Larger and Shorter Catechisms with a single alteration, were adopted, and have since undergone no revision. A Directory of Worship and a Form of Government and Book of Discipline were likewise adopted. The Directory of Worship and the Form of

Government and Discipline have been somewhat modified by subsequent revisions and emendations.

In 1801 a "Plan of Union" was adopted, designed for the accommodation "of Presbyterians and Congregationalists in the new settlements." This arrangement soon developed a conflict between two parties in the Church, which, aggravated by various other influences in process of time, at length culminated in the Act of Excision in 1837. By this act the Presbyterian body was again rent asunder, and the result was the existence of two organizations, properly known as "The Old School General Assembly" and "The New School General Assembly."

The "Old School Assembly" rejected the entire arrangement of the "Plan of Union" with the Congregationalists, and retained the great mass of the Presbyterian churches located in the Southern States, and then complicated with the institution of slavery. The "New School Assembly" more generally favored the results of the arrangement with the Congregationalists

and co-operation in matters of benevolence, and were likewise, as a body, more decided in their opposition to the system of slavery, having but comparatively few Presbyteries in the South.

In 1857 these Southern Presbyteries seceded from the "New School Assembly" on the question of slavery, and formed the independent "Synod of Knoxville."

In 1861 the war of the Rebellion broke out upon the same question, whereupon the whole body of Southern Presbyterians, before connected with the "Old School Assembly," withdrew from that body, and, together with the Knoxville Synod, finally formed an organization which is now styled "The General Assembly of the Presbyterian Church of the United States."

Meanwhile the "Old School Assembly" of the North, freed from its Southern complications, and the "New School Assembly," having sensibly changed ground in regard to its relations and co-operation with the Congregationalists, measures were initiated which happily resulted, in 1868–69,

in the reunion of the two Northern Assemblies under the present title of "The General Assembly of the Presbyterian Church in the United States of America."

From an early period other Presbyterian bodies have existed in this country, but they are entirely distinct and separate organizations, and wholly independent in their doctrines and polity.

At the time of the adoption of the constitution, in 1788, the Presbyterian General Assembly embraced four Synods, sixteen Presbyteries, four hundred and nineteen churches, and one hundred and seventy-seven ministers. The Presbyteries divided the churches in the following proportions: Suffolk had 13 churches, Dutchess 9, New York 39, New Brunswick 26, Philadelphia 22, New Castle 27, Lewes 19, Baltimore 12, Carlisle 56, Redstone 27, Lexington 27, Hanover 21, Orange 71, Abingdon 25, South Carolina 45, and Transylvania 10.

At the present time, (1872,) as appears from the published Minutes of the General

Assembly for the current year, of course exclusive of the statistics of other branches of the Church, the organization embraces 35 Synods, 166 Presbyteries, 4,730 churches, and 4,441 ministers, with 323 licentiates, and 767 candidates.

For this large and powerful body of Christian people there has long been needed a manual of laws, regulations, and usages, so arranged as to bring within easy access a knowledge of the order of proceedings in every department of the business and government of the Church; and which shall be a guide to every member, officer, and minister of the denomination.

Whoever will examine the present condition of our ecclesiastical legislation will not fail to discover the necessity of its codification. And, indeed, it is quite impracticable for the great majority of the Church to attain any adequate acquaintance with the subject. Yet every individual, however humble, should have competent information, both as to our Church laws and usages, and as to the rules and regulations

of parliamentary business in our public religious assemblies and church courts.

The book known as "The Confession of Faith," containing likewise the Larger and Shorter Catechisms, the Form of Government and Book of Discipline, the Directory of Worship and the Rules for Judicatories, must be regarded always as the first source of this information. But owing to the imperfect arrangement of several parts, confusion and embarrassment often arise in the application of certain principles, and in the adoption of certain modes of procedure which the volume prescribes.

Besides this, there have been published at different times three Digests or Codifications of the Acts and Decisions of the General Assembly: one in 1820, one for the Old School Assembly in 1855, and one for the New School Assembly in 1861. These volumes, while exceedingly valuable and important for many purposes, are, both as to structure and expense, quite beyond the reach of the general membership of the Church. They are likewise defective in

those points which have been acted upon in the General Assembly since the date of their publication.

And beyond this there seems to be a clear necessity for setting before the people and ministry of the Church a fuller exposition of the rules of parliamentary proceedings, as they now obtain in the great forums of the civilized and Christian world. For this purpose, in addition to an examination of all the archives of the Church down to the present time, the well-known Manuals of Jefferson and Cushing and the books of Standing Rules for both Houses of Congress have been brought into requisition.

The design has been from these sources to collate and put into a compact and intelligible form all the principles, laws, and usages of the Presbyterian Church in these United States, and to crown the whole with a copious index of every subject about which it may be necessary to inquire.

WESTMINSTER BOOK OF PRAYER.

There is one book we desire to notice in

this connection, with which the great mass of Presbyterians of our times have little or no acquaintance. It is the Book of Prayer of the Westminster Divines, and though so long in general disuse, no work of the kind is its superior in our language. We have cited from this volume some paragraphs in relation to the mode of administering the ordinances, which will be found exceedingly appropriate.

The compilers, in concluding their task, indulge the hope that this little volume, the result of protracted and tedious labor, will be found full, accurate, and reliable, and become a source of useful information and constant convenience in every portion of our beloved Church.

WASHINGTON, D. C., *December*, 1872.

MANUAL

OF

PRESBYTERIAN LAW AND USAGES.

CHAPTER I.

THE CONSTITUTION.

§ 1. This is a general term, given to the adopted written standards of the Church, expressing its ecclesiastical authority, and embracing the fundamental principles, rules, and regulations of the Church.

§ 2. It recognizes the *theocratic* principle in the confession of Jesus Christ as the sole head of the Church, and by accepting the Scriptures of the Old and New Testaments as the Word of God and the only infallible rule of faith and practice, maintaining that all power given for the existence and perpetuity of the Church is derived from Christ, and that no ordinances or offices

are of divine appointment and binding obligation but such as are clearly taught in the Word of God or plainly deduced therefrom.—*C. F. ch. xxv, par. i–vi; F. G. ch. ii, par. i–iv; ch. ii, par. i, ii.*

§ 3. It recognizes the *democratic* principle, in defining the rights of the people in all matters pertaining to religion and to ecclesiastical government, and in affording all practicable means for the maintenance and defence of the same.—*F. G. ch. i, par. i–viii; ch. v, par. i; ch. viii, par. i, ii.*

§ 4. It recognizes at the same time the social and civil relations of a society or community, and does not propose in any way to interfere with them.—*Ibid.*

§ 5. It provides for the gathering of religious assemblies and congregations of people, and the formation of particular Christian churches in different localities.—*F. G. ch. ii, par. iv; G. A.* 1831.

§ 6. It provides for the general organi-

zation of such churches or congregations under a certain, distinct, and well-defined form of government, which, being founded upon the Scriptures, thus derives its binding force upon all those who voluntarily enter into such organization and continue in fealty to the same.—*F. G. ch. viii, par. i, ii.*

§ 7. It provides a system of ecclesiastical judicatories by which the administration of all government in the Church is to be carried forward.—*F. G. ch. ix, xii.*

§ 8. It makes churches, in all actions and measures taken by them of a purely ecclesiastical nature, subject to the jurisdiction of said courts.—*Ibid.*

§ 9. It recognizes in its discipline no other penalty as the supreme punishment for the offending or contumacious than summary expulsion from the Church and all its immunities.—*F. G. ch. viii, par. ii.*

§ 10. In conclusion, the radical princi-

ples of Presbyterian church government and discipline are—

(*a*) That the several different congregations of believers, taken collectively, constitute one Church of Christ, the universal visible Church on earth.

(*b*) That a larger part of the Church, or a representation of it, should govern a smaller, or determine matters of controversy which arise therein.

(*c*) That in like manner a representation of the whole should govern and determine in regard to every part and to all the parts united, that is, that *a majority shall govern;* and consequently that questions of importance may be carried from the lower to the higher judicatories, till they be finally decided by the collected wisdom and united voice of *the whole Church*.

(*d*) For these principles and this procedure authority is found in the example of the Apostles and the practice of the primitive Church.—*F. G. ch. xii, note.*

CHAPTER II.

FORMATION OF A PARTICULAR CHURCH.

§ 11. Whenever in any locality, not having an organized church, there shall be found a number of persons associated as Christian believers and desirous to be organized into a Presbyterian church, they should make application to the Presbytery within whose bounds they are located for such organization.—*M. G. A.* 1831, *p.* 326.

§ 12. But when, from remoteness of distance or other controlling reasons, they find this impracticable, they should apply to any minister or missionary of our Church who may be available.—*Ibid.*

§ 13. When assembled for organization, the meeting shall be opened with prayer by the minister presiding, who shall then proceed first to receive the certificates of church membership in other churches from

those who are present, and next to receive on a public profession of their faith any who may be judged suitable after examination, and to baptize such as have never been baptized.—*Ibid.*

§ 14. All thus ascertained to be prepared to enter into an organization should then by some public formal act, such as rising, joining or raising hands, or subscribing a written statement, agree and covenant to walk together in a church relation, according to the acknowledged doctrines and order of the Presbyterian Church.—*Ibid.*

§ 15. The next step is to proceed to the election and ordination of ruling elders in conformity with the directions of our form of government.—*Ibid.*

§ 16. Deacons are to be elected and ordained in like manner as in the case of ruling elders.—*Ibid.*

§ 17. At the organization of every par-

ticular church or congregation there should be adopted a form of admission to membership, embracing articles of faith and a solemn covenant, also some form of a charter or constitution and by-laws for their government in their congregational capacity. (See Forms in Appendix.)

§ 18. In the procurement of church charters and other legal instruments care must be taken to have them so formed as not to conflict with the principles or the order of the Presbyterian Church.—*M. O. S. G. A.* 1838, *p.* 26.

§ 19. The trustees of a particular church or congregation may not infringe upon the authority and duty of the Session, or interfere with the office and functions of the deacons. Their power is limited by the tenor of their trust; upon any violation of which recourse must be had first to the congregation, then to Presbytery, and finally, if requisite, to the legal tribunals. —*M. O. S. G. A.* 1863, *p.* 44; *Decision*

of U. S. Supreme Court, recorded in M. G. A. 1872, *pp.* 181, 182.

§ 20. When members of a particular church in good standing change their residence or desire for any other valid reason to remove their membership to another church, they are entitled to letters of dismission; and when requested, it is the duty of the Session promptly to prepare them.—*M. G. A.* 1871, *p.* 587.

§ 21. When members of a particular church, in good standing and repute, are about to go from it on an uncertain destination, it shall be the duty of the Session, when requested, to furnish such members with letters of general credence or testimonials of orderly church membership to all Christian people among whom their lot may be cast.—*Ibid.*

§ 22. When any member so dismissed by one church shall have been received by another, it shall be the duty of the latter

immediately to notify the former church of the fact.—*Ibid.*

§ 23. When any church member shall remove from one congregation to another, he is to be admitted upon certificate, as before provided, unless the church Session by which he is to be received has other satisfactory means of information.—*B. D. ch. xi, par. i.*

§ 24. When persons so removing neglect for a considerable time to apply for testimonials of dismission, the Session, unless they have reliable information of more recent date, shall testify to their character only up to the time of their removal.—*B. D. ch. xi, par. iii.*

§ 25. If a church member, having been absent from his church for more than two years, shall apply for a certificate of dismission, his absence and the ignorance of the church respecting his demeanor for that time shall be distinctly stated in the certificate.—*B. D. ch. xi, par. iv.*

§ 26. No certificate of church membership shall be valid, if it be not presented within one year from its date, except when there has been no opportunity for presenting it.—*B. D., ch. xi, par. ii.*

§ 27. When unbaptized persons are to be received into church membership, they must give to the Session of the church satisfactory evidence of piety, and on assenting to the articles of faith they must be baptized in the presence of the assembly, and complete their reception by entering into a covenant with the church.—*D. W. ch. ix.*

§ 28. The baptized children of the church become members in full communion by assenting to the articles of faith and the covenant. The time and fitness of such children for admission to be determined by the Session.—*D. W. ch. ix, par. i–iii.*

§ 29. A church member is always amenable to the discipline of that particular

church of which he has become a member by examination and the public profession of his faith or by certificate from another church.—*F. G. ch. ix, par. vi.*

§ 30. The ordinances of a particular church, which is regularly constituted with its proper officers, are prayer, singing praises to God, reading, expounding, and preaching His Word, administering baptism and the Lord's supper, public solemn fasting and thanksgiving, catechising, making collections for the poor and other pious purposes, exercising discipline, and blessing the people.—*F. G. ch. vii, par. i.*

§ 31. When a church has been thus organized, report of the same should be made as soon as practicable to the Presbytery within whose bounds it is located. And when a missionary or other minister, not specially appointed to the work by Presbytery, has, in the manner above specified, organized a church, not within the known bounds of any other church or of a Presby-

tery, the church thus organized should, as soon as practicable, make known to some Presbytery with which it may be most naturally and conveniently connected the time and manner of its organization, and desire to be received under care of said Presbytery.—*M. G. A.* 1831, *p.* 177.

CHAPTER III.

THE RIGHTS AND DUTIES OF CHURCH MEMBERS AND NON-COMMUNICANTS, WITH RULES FOR CONGREGATIONAL MEETINGS.

§ 32. A particular church is a body of Christian believers, with their offspring, who are united together in one congregation in a particular locality to receive and enjoy the ordinances of Christ's house, to discharge the obligations and perform the duties enjoined upon them by the Holy Scriptures and the constituted authorities to which they voluntarily submit, and for the accomplishment of which they enter into solemn covenant with God and their fellow Christians on becoming members in full communion.—*F. G. ch. ii, par. iv.*

§ 33. Members of the church so constituted, male and female, in full communion and in good and regular standing, *and they*

only, are entitled to participate and vote in all meetings for the transaction of business, temporal and spiritual, pertaining to the interest and welfare of such church.—*M. O. S. G. A.* 1866, *p.* 54.

§ 34. Every member of the church has the right to lay his grievances before the Session for redress; to appeal from the decision of the Session in his case, or to complain to the Presbytery against the executive course or action of the Session in any case.—*B. D. ch. vii, sec. iv, par. iii.*

§ 35. No member of the church can be deprived of the aforesaid rights but by regular trial and conviction by the Session. *B. D. ch. iv, par. xvii.*

§ 36. When any member of the church shall be cited for trial before the Session, he must have due notice (ten days) from the Session of the nature of the charge or complaint to be laid against him, with the specifications and the names of the wit-

nesses to be produced against him, and of the time and place of meeting.—*B. D. ch. iv, par. vii, viii.*

§ 37. When any member of the church is so notified to appear for trial, and shall ask for counsel on the ground of his inability or incompetency to conduct his own case, he shall be entitled to have such counsel assigned him by the judicatory from among its own members.—*B. D. ch. iv, par. xxi.*

§ 38. When any member of the church shall have cause of complaint against an individual minister, he shall not bring the case before the Session, but before the Presbytery, his court of trial.—*B. D. ch. v, par. ii, v.*

Non-Communicants.

§ 39. Associated with every particular church are persons who, though not members, yet for various reasons contribute to its support. Such persons have no rights in our church courts, not even to prosecute

a case, since they are not amenable to their jurisdiction.

§ 40. They are usually styled non-communicants, and have no voice in the election of ruling elders and deacons.—*M. G. A.* 1830, *p.* 9; *O. S. G. A.* 1855, *p.* 299.

§ 41. Nevertheless to such persons, by *general usage*, have been accorded the following ecclesiastical privileges:

(*a*) To vote in the election of a pastor.

(*b*) To be represented on the board of trustees and in all other temporal committees.

(*c*) To be represented in the number of commissioners to Presbytery in the matter of the dissolution of a pastoral relation; and

(*d*) To petition, inform, and testify in matters of church discipline.

Congregational Meetings.

[A distinction must be observed between a congregational meeting of communicants

and a congregational meeting embracing non-communicants: in the first the spiritual affairs of the church are transacted, in which non-communicants have no rights and can be present only by courtesy; in the second the temporal affairs are transacted, in which non-communicants participate. And the rules or by-laws of the second cannot apply in the first, as this would imply that non-communicants may make laws for the government of the church.]

§ 42. The church Session is the only authority to convene a congregational meeting for the election of a pastor, of elders or deacons, or for the transaction of business pertaining to the spiritual interests of the church.—*F. G. ch. xv, par. i.*

§ 43. It shall always be the duty of the Session to convene a congregational meeting, when a majority of the persons entitled to vote in the case shall by petition request that a meeting may be called.—*F. G. ch. xv, par. i.*

§ 44. When a congregational meeting is held for the election of a pastor, a minister of the Presbytery must preside, unless highly inconvenient on account of distance; in which case a member of the Session may preside.—*F. G. ch. xv, par. ii.*

§ 45. As a general principle, a minister of another Presbytery from that to which the church belongs ought not to preside over any of its meetings, as he would not be responsible directly to its Presbytery.

§ 46. When a congregational meeting is held for the election of elders or deacons or for the transaction of business pertaining to the spiritual interests of the church, the pastor is president *ex officio;* in a vacant church, a member of the Session must preside when it is highly inconvenient to obtain the services of a minister of the Presbytery to which such church belongs; and the clerk of the Session shall be clerk of the meeting and keep a record of the proceedings.

§ 47. When a congregational meeting is held for the election of trustees, or for the transaction of any other purely temporal business, the congregation may elect the chairman and other officers, and proceed according to the local laws and usages governing said congregation.

§ 48. In any congregational meeting, the minority, feeling aggrieved or believing their rights infringed, or believing that the actions of the majority are contrary to the government of the church, or to the peace and welfare of the congregation, may complain to the Session, and from the Session they may bring the matter to the Presbytery by complaint or appeal.

§ 49. In case of a supposed default of proper action or the neglect or refusal of duty on the part of the Session, it is the right of the minority to demand the proper action in writing, properly signed and directed to the Session; and in case the Session still neglect or refuse to perform

their duty, this will be a cause for complaint to the Presbytery which will lie against the Session.

Exceptions.

§ 50. A minority may not *complain* or *appeal* from the action of a congregational meeting directly to the Presbytery, but must first seek redress from the Session. This does not debar the right of *petition*.

§ 51. In a congregational meeting, where a minister is required by our form of government to preside, the minister must decide all points of law and order: an appeal may not be taken to the congregation from any of his rulings or decisions. If the congregation, or any members thereof, feel aggrieved by such rulings or decisions, they may file exceptions, to be laid before the Presbytery to which he is responsible.

§ 52. The same course must be pursued when an elder presides: the exceptions must be laid before the reviewing court.

If for the election of a pastor, before the Presbytery; if for any other purpose, then before the Session.

§ 53. In case a congregational meeting should proceed contrary to the judgment and in spite of the protest of the Session to the election of a pastor, or the adoption of any system of proceeding inconsistent with the real and permanent edification of the people, the Session should seek redress from the Presbytery.

§ 54. A member of the church in good standing cannot be debarred from voting by a vote of the congregation. No vote of the congregation of a Presbyterian church can affect the rights of a member as such: all such power is vested in the Session.—*M. O. S. G. A.* 1866, *p.* 54.

§ 55. A congregation, with the concurrence of the Session, may refer any matter of difficulty to the Presbytery for their advice or final decision.

CHAPTER IV.

THE SESSION.

§ 56. The church Session consists of the pastor or pastors and ruling elders of a particular congregation.—*F. G. ch. ix, par. i.*

Quorum.

§ 57. Of this judicatory two elders, if there be as many in the congregation, with the pastor, shall be necessary to constitute a quorum.—*F. G. ch. ix, par. ii.*

§ 58. Cases may occur with infant or feeble churches in which it would be impracticable for a time to have more than one elder, and yet be necessary to perform acts of a judicial character. For such the constitution provides; but if there be more than one elder, then two at least, with a minister, are necessary to form a Session.—*M. G. A.* 1836, *p.* 263.

The Moderator.

§ 59. The pastor of the congregation shall always be moderator of the Session, except when, for prudential reasons, it may appear advisable that some other minister should be invited to preside, in which case the pastor may, with the concurrence of the Session, invite such other minister as they may see meet, belonging to the same Presbytery, to preside in that case. The same expedient may be adopted in case of sickness or absence of the pastor.—*F. G. ch. ix, par. iii.*

§ 60. In cases where the form of government does not require, either in express terms or by implication, that the moderator shall be of the same Presbytery as the congregation, and for which no provision is made, a member of another Presbytery may be invited to act as moderator, if it be found to be expedient.—*M. O. S. G. A.* 1844, *p.* 359.

§ 61. It is expedient, at every meeting

of the Session, more especially when constituted for judicial business, that there be a presiding minister. When, therefore, a church is without a pastor, the moderator of the Session shall be either—

(*a*) The minister appointed for that purpose by the Presbytery; or

(*b*) One invited by the Session to preside on a particular occasion; but

(*c*) When it is impossible, without great inconvenience, to procure the attendance of such moderator, the Session may proceed without it.—*F. G. ch. ix, par. iv.*

§ 62. Except that one or two elders in the absence of a minister would not be a quorum, without which no business can be transacted.

§ 63. In congregations where there are two or more pastors, they shall, when present, alternately preside in Session.—*F. G. ch. ix, par. v.*

Clerk.

§ 64. Every Session shall elect one of its members as clerk to record their transactions, whose continuance shall be during pleasure.

§ 65. How a Session may be convened—

(*a*) The pastor has power to convene the Session when he may judge it requisite.

(*b*) The pastor shall always convene them when requested to do so by any two elders.

(*c*) The Session shall also convene when directed so to do by the Presbytery.—*F. G. ch. ix, par. vii.*

Duties of the Session.

§ 66. The church Session is charged with maintaining the spiritual government of the congregation; for which purpose—

(*a*) They have power to inquire into the knowledge and Christian conduct of the members of the church.

(*b*) To call before them offenders and witnesses, being members of their own congregation, and to introduce other witnesses where it may be necessary to bring the process to issue, and when they can be procured to attend.

(*c*) To receive members into the church.

(*d*) To admonish, to rebuke, to suspend, or exclude from the sacraments those who are found to deserve censure.

(*e*) To concert the best measures for promoting the spiritual interests of the congregation.

(*f*) To appoint delegates to the Presbytery and Synod.—*F. G. ch. ix, par. vi.*

(*g*) The Sabbath schools are under the control of the Session. All the teachers employed, all the books used, and all the regulations adopted, should be such as the Session may approve. All elections of officers or teachers must be subject to the approval of the Session. The Session cannot delegate their responsibility for the religious instruction of the chil-

dren of the church.—*M. O. S. G. A.* 1840, *p.* 310; 1841, *p.* 423, 427; *M. N. S. G. A.* 1863, *p.* 241; 1864, *p.* 506–508.

(*h*) As the whole spiritual affairs of the church are committed to the Session, the music is under their control. Singing is an important part of worship, and the choir must be subject to the Session.—*M. O. S. G. A.* 1845, *p.* 21, 22.

§ 67. It is not discretionary with the Session to be represented in Presbytery and Synod; it is a duty, the neglect of which is censurable.

§ 68. When a member shall be dismissed by the Session with a view to his joining annther church, if he commit an offence previous to his joining the latter he shall be considered as under the jurisdiction of the Session which dismissed him, and amenable to it up to the time when he actually becomes connected with that church to which he was dismissed and recommended.—*B. D. ch. x, par. i.*

§ 69. But if he actually join the new body before his crime comes to light then that body shall be bound to conduct the process against him.—*B. D. ch. x, par. iii.*

§ 70 The dismissal of a ruling elder by letter from a church, terminates his official relations with that church, except so far as said church is responsible for its watch and care over him during the period of transition.—*M. N. S. G. A.* 1867, *p.* 512.

§ 71. Every Session shall keep a fair record of its proceedings, which record shall be at least once in every year submitted to the inspection of the Presbytery. —*F. G. ch. ix, par. viii.*

§ 72. It is important that every church Session keep a fair register of marriages, of baptisms, with the times of the birth of the individuals baptized, of persons admitted to the Lord's table, and of the deaths, and other removals of church members.—*F. G. ch. ix, par. ix.*

§ 73. The Session, being the first court of the Church, must carefully guard the rights of the people. They shall not deny the right of petition or of complaint to any member or members of the church in any matter, of whatsoever nature, if it be prosecuted in due form and order.

§ 74. If a suspended member should unite with another church on profession of faith, the Session admitting him being ignorant of his former membership and suspension, should, upon discovery of these facts after conference with the accused person, strike his name from their roll of church members as not under their jurisdiction, communicate their action to the Session suspending him, with the reasons for it, and request said Session to proceed against him, on separate process, for duplicity and disorder.—*M. N. S. G. A.* 1866, *p.* 269.

§ 75. While the constitution of the Church provides for no demission of her members or the striking off of names from

her roll, save as the result of death or of excommunication, it may nevertheless be well for each church to record on a separate list the names of those who have been absent for more than two years from their church relations, and whose residence is unknown; and names thus recorded may be omitted in the statistical returns of the church.—*M. G. A.* 1872, *p.* 89.

§ 76. The Session has no control over the funds collected and in the hands of the deacons for the benefit of the poor of the church. The management of this fund belongs exclusively to the deacons.—*M. O. S. G. A.* 1857, *p.* 24.

§ 77. The Session may not invite a minister of the gospel, even of the same Presbytery to which the church belongs, to sit as a corresponding member, and then assign him, at the request of an accused brother, as counsel for the accused; nor employ any one as counsel who is not a member of the judicatory.—*M. N. S. G. A.* 1851, *p.* 29.

CHAPTER V.

THE PRESBYTERY.

§ 78. A Presbytery consists of all the ministers, in number not less than five, and one ruling elder from each congregation, within a certain district, (*F. G. ch. x, par. ii,*) as amended by Presbyteries in 1870, and declared by the General Assembly 1871.—*M. G. A.* 1870, *p.* 89; 1871, *p.* 594.

§ 79. Every congregation which has a stated pastor has a right to be represented by one elder; and every collegiate church by two or more elders, in proportion to the number of its pastors.—*F. G. ch. x, par. iii.*

§ 80. Where two or more congregations are united under *one* pastor, all such congregations shall have but one elder to represent them.—*F. G. ch. x, par. iv.*

§ 81. Every vacant congregation, which is regularly organized, shall be entitled to be represented by one ruling elder.—*F. G. ch. x, par. v.*

Quorum.

§ 82. Any three ministers, and as many elders as may be present belonging to the Presbytery, being met at the time and place appointed, shall be a quorum competent to proceed to business—*F. G. ch. x, par. vii.*

§ 83. Any three ministers of a Presbytery, being regularly convened, are a quorum competent to the transaction of all business, without the presence of an elder.—*M. O. S. G. A.* 1843, *p.* 196.

The Powers of Presbytery.

§ 84. The Presbytery has power—

(*a*) To receive and issue appeals from church Sessions and references brought before them in an orderly manner;

(*b*) To examine and license candidates for the holy ministry;

(*c*) To ordain, install, remove, and judge ministers;

(*d*) To examine and approve or censure the records of church Sessions;

(*e*) To resolve questions of doctrine or discipline seriously and reasonably proposed;

(*f*) To condemn erroneous opinions which injure the purity and peace of the Church;

(*g*) To visit particular churches, for the purpose of inquiring into their state and redressing the evils that may have arisen in them;

(*h*) To unite or divide congregations at the request of the people, or to form or receive new congregations, and in general to order whatever pertains to the spiritual welfare of the churches under their care.—*F. G. ch. x, par. viii.*

§ 85. It shall be the duty of the Presbytery to keep a full and fair record of their

proceedings, and to report to the Synod every year licensures, ordinations, the receiving or dismissing of members, the removal of members by death, the union or division of congregations or the formation of new ones, and in general all the important changes which may have taken place within their bounds in the course of the year.—*F. G. ch. x, par. ix.*

§ 86. The Presbytery shall meet on its own adjournment; and when any emergency shall require a meeting sooner than the time to which it stands adjourned, the moderator, or in case of his absence, death, or inability to act, the stated clerk shall, with the concurrence or at the request of two ministers and two elders, the elders being of different congregations, call a special meeting. For this purpose he shall send a circular letter, specifying the particular business of the intended meeting, to every minister belonging to the Presbytery and to the Session of every vacant congregation in due time previous to the meeting: which

shall not be less than ten days. And nothing shall be transacted at such special meeting besides the particular business for which the judicatory has been thus convened.—*F. G. ch. x, par. x.*

§ 87. If a particular time and place be specified in the application for a *pro re nata* meeting of the Presbytery, the moderator, on such application, is not competent to call a meeting at a different time and place.—*M. O. S. G. A.* 1856, *p.* 522.

§ 88. At every (stated) meeting of Presbytery a sermon shall be delivered, if convenient, (by the retiring moderator, or at his request by some other minister;) and every particular session of the body shall be opened and closed with prayer.—*F. G. ch. x, par. xi.*

§ 89. Ministers in good standing in other Presbyteries or in any sister (evangelical) Churches, who may happen to be present, may be invited to sit with the Presbytery

as corresponding members. Such members shall be entitled to deliberate and advise, but not to vote in any decisions of the Presbytery.—*F. G. ch. x, par. xii.*

§ 90. Where a minister is supplying two congregations, one as the regular pastor and the other as a stated supply, each of these churches has the right to be represented by an elder at the same meeting of Presbytery.—*M. O. S. G. A.* 1847, *p.* 377.

§ 91. No ruling elder who has retired from the active exercise of his office in the church to which he belongs can be admitted as a member of any of our courts.—*M. G. A.* 1835, *p.* 32.

§ 92. A deposed minister, desiring to be restored, must apply to the Presbytery that deposed him and not to any other.—*M. N. S. G. A.* 1859, *p.* 18.

§ 93. A minister holding a letter of dismission is a member of the Presbytery

dismissing him, and is always to be considered under their jurisdiction until he actually becomes a member of another.—*B. D. ch. x, par. ii.*

§ 94. If, however, a minister shall be charged with a crime which appears to have been committed during the interval between the date of his dismission and his actual joining the new body, but which did not come to light until after he had joined the new body, that body shall be empowered and bound to conduct the process against him.—*B. D. ch. x, par. iii.*

§ 95. No Presbytery shall dismiss a minister, or licentiate, or candidate for licensure, without specifying the particular Presbytery or other ecclesiastical body with which he is to be connected.—*B. D. ch. x, par. iv.*

§ 96. The Presbytery cannot dismiss a member by a standing committee. The moderator and clerk have no such authority.—*M. G. A.* 1830, *p.* 302.

§ 97. The name of a suspended minister should not be removed from the roll.—*M. O. S. G. A.* 1847, *p.* 398.

§ 98. As the name of every minister under trial, even, must be properly on the roll of some Presbytery, it should not be finally erased until the completion of all the ecclesiastical proceedings connected with the case: until it has been issued in all the courts to which it may be taken.—*M. N. S. G. A.* 1869, *p.* 271.

§ 99. The Presbytery cannot dismiss a congregation to another Presbytery without the approbation of Synod.—*M. G. A.* 1823, *p.* 91.

§ 100. The Presbytery has the right to refuse to install a minister when in their judgment the salary is insufficient, even though requested to do so by the congregation and the pastor elect.—*M. O. S. G. A.* 1855, *p.* 272.

§ 101. A Session may be represented by

a different elder at adjourned meetings of the Presbytery.—*M. G. A.* 1872, *p.* 68.

§ 102. The commissioners to the General Assembly shall always be appointed by the Presbytery from which they come at its last stated meeting immediately preceding the meeting of the General Assembly: Provided, that there be a sufficient interval between that time and the meeting of the Assembly for their commissioners to attend to their duty in due season; otherwise, the Presbytery may make the appointment at any stated meeting, not more than seven months preceding the meeting of the Assembly. And as much as possible to prevent all failure in the representation of the Presbyteries, arising from unforeseen accidents to those first appointed, it may be expedient for each Presbytery, in the room of each commissioner, to appoint also an alternate commissioner to supply his place in case of necessary absence.—*F. G. ch. xxii, par. ii.*

§ 103. Each commissioner, before his name shall be enrolled as a member of the Assembly, shall produce from his Presbytery a commission, under the hand of the moderator and clerk, in the following or like form, viz:

The Presbytery of ———, being met at ———, on the ——— day of ———, A. D. 18—, doth hereby appoint ———, (minister or elder, as the case may be,) to be a commissioner on behalf of this Presbytery to the next General Assembly of the Presbyterian Church in the United States of America, to meet at ———, on the ——— day of ———, A. D. 18—, or wherever and whenever the said Assembly may happen to sit; to consult, vote, and determine on all things that may come before that body, according to the principles and constitution of this Church and the Word of God. And of his diligence herein he is to render an account at his return.

Signed, by order of the Presbytery,

——— ———, *Moderator.*
——— ———, *Stated Clerk.*

And the Presbytery shall make record of the appointment.—*F. G. ch. xxii, par. ii.*

§ 104. The expenses of commissioners to the General Assembly are paid from the contingent fund of the Assembly when

their Presbyteries pay to that fund the annual assessment of the Assembly.

Rules for Receiving Foreign Ministers.

§ 105. When any minister or licentiate from Europe shall come into this country, and desire to become connected with the Presbyterian Church in the United States, he may apply to any committee appointed to direct the services of travelling ministers and candidates; which committee shall inspect his credentials, and, by examination or otherwise, endeavor to ascertain his soundness in the faith and experimental acquaintance with religion; his attainments in divinity and literature; his moral and religious character and approbation of our public standards of doctrine and discipline. If the result shall be such as to encourage further trial, said committee may give him appointments to supply and recommend him to the churches till the next meeting of the Presbytery to which such committee belongs. It shall then become the duty of such minister or licen-

tiate to apply to that Presbytery, or to any other in whose bounds he may incline to labor: Provided always, that he make his application to the Presbytery at their first meeting after his coming within their bounds; and also that immediately on coming within the bounds of any Presbytery he apply to their committee to judge of his certificate of approbation, and if they think it expedient to make him appointments; or, if it shall be more convenient, the application may be made to the Presbytery in the first instance; but it shall be deemed irregular for any foreign minister or licentiate to preach in any vacant church till he have obtained the approbation of some Presbytery or committee of Presbytery in manner aforesaid. The Presbytery to which such minister or licentiate may apply shall carefully examine his credentials, and not sustain a mere certificate of good standing unless corroborated by such private letters or other collateral testimony as shall fully satisfy them as to the authenticity and suf-

ficiency of his testimonials. After inspecting any evidences of his literary acquirements which may be laid before them, the Presbytery shall enter into a free conversation with him, in order to discover his soundness in the faith and experimental acquaintance with religion. If they shall obtain satisfaction on these several articles, they shall proceed to examine him on the learned languages, the arts, sciences, theology, church history, and government; nor shall they receive him, unless he shall appear to have made such attainments in these several branches as are required of those who receive their education or pass their trials among ourselves. But if, upon the whole, he appears to be a person worthy of encouragement, and who promises usefulness in the Church, they shall receive him as a minister or candidate on probation, he first adopting our standards of doctrine and discipline, and promising subjection to the Presbytery in the Lord. During this state of probation he may preach the gospel when regularly called, either as a stated

or occasional supply; and if an ordained minister, perform every part of the ministerial functions, except that he may not vote in any judicatory or accept a call for settlement.

§ 106. If the foreigner who shall apply to any Presbytery or committee, as aforesaid, be an ordained minister, such committee or Presbytery may, at their discretion, dispense with the special examination on literature in this act prescribed, provided he shall exhibit satisfactory evidence that he has received such education, and made such progress in languages, arts, and sciences as are required by the Constitution of our Church as qualifications for the gospel ministry. But in all other respects the examination shall be the same as in the case of a licentiate.

§ 107. If, from prospects of settlement or greater usefulness, a minister or licentiate under probation in any Presbytery shall wish to move into the bounds of

another, he shall receive a dismission, containing a certificate of his standing and character, from the Presbytery under whose care he shall have been; which certificate shall entitle him to the same standing in the Presbytery into whose bounds he shall come, except that from the time of his coming under the care of this latter Presbytery a whole year shall elapse before they come to a final judgment respecting his reception.

§ 108. When any foreign minister or licentiate, received on certificate or pursuant to trials in any Presbytery, shall have resided generally and preached within their bounds and under their direction for at least one year, they shall cause him to preach before them, (if they judge it expedient,) and taking into consideration as well the evidence derived from their former trials as that which may arise from his acceptance in the churches, his prudence, his gravity, and godly conversation; and from the combined evidence of

the whole determine either to receive him, to reject him, or to hold him under further probation. In case of receiving him at that or any subsequent period, the Presbytery shall report the same to their Synod at its next meeting, together with all the certificates and other testimony on which they received him; or if it shall be more convenient, this report may be made to the General Assembly. The said Assembly or Synod, as the case may be, shall then inquire into the proceedings of the Presbytery in the affair, and if they find them to have been irregular or deficient, they shall recommit them to the Presbytery, in order to a more regular and perfect process. But if the proceedings had in the Presbytery appear to have been conformable to this regulation, they shall carefully examine all the papers laid before them by the Presbytery, or which shall be exhibited by the party concerned, and considering their credibility and sufficiency, come to a final judgment, either to receive him into the Presbyterian body, agreeably to his standing, or to reject him.

§ 109. In order, however, to facilitate the settlement of foreign ministers as soon as may consist with the purity and order of the Church, it is further ordained, that if the proper Synod or the General Assembly are not to meet within three months after that meeting of a Presbytery at which a foreign minister on probation is expected to be received, the Presbytery may, if they see cause, lay his testimonials before that meeting of the Assembly or Synod which shall be held next before said meeting of the Presbytery. If the Assembly or Synod shall approve the testimonials, they shall give the Presbytery such information and direction as the case may require, and remit the same to them for final issue. In all other cases it shall be deemed irregular for any Synod or General Assembly to receive a foreign minister or licentiate until he shall have passed his period of probation, and been received and reported by some Presbytery in manner aforesaid.

§ 110. No minister or licentiate, after

being rejected by one Presbytery, shall be received by another, or if received through mistake or otherwise, he shall be no longer countenanced or employed after the imposition is discovered. If, however, any minister or licentiate shall think himself aggrieved by the sentence of any Presbytery, he shall have a right to carry the matter by complaint to the proper Synod, or to the next General Assembly, giving notice thereof to the Presbytery during the meeting at which the sentence was pronounced or at the meeting next following.

§ 111. These regulations and provisions relative to the reception of foreign ministers and licentiates are to be considered as coming in place of all that have heretofore been established on this subject; and all judicatures and individuals under the care of the Assembly are to regard them accordingly.—*M. G. A.* 1800, *pp.* 200–202.

§ 112. The above rules were enforced by the Old School General Assembly and the

New School General Assembly, but the last action of the Assembly is as follows: "Inasmuch as intercourse between the Presbyterian churches of Great Britain and our General Assembly is now much more frequent and intimate than in former years, affording the opportunity for mutual acquaintance and knowledge of the character and standing of the ministers in the different churches of both countries: therefore, *resolved*, that the regulation requiring ministers coming among us from the Presbyterian churches of Great Britain to submit to a year's probation before maintaining ministerial standing is no longer necessary, and is hereby repealed."—*M. G. A.* 1872, *p.* 70.

§ 113. By this act the requirement of a year's probation is repealed, but all the other precautions to be taken in receiving foreign ministers are still in force.

CHAPTER VI.

THE SYNOD.

§ 114. The Synod is the third in order of the church courts, and is a convention of the bishops and elders within a certain district, including at least three Presbyteries.—*F. G. ch. xi, par. i.*

§ 115. The ratio of elders represented in the Synod is the same as that of the Presbytery.—*F. G. ch. xi, par. i.*

§ 116. Any seven ministers, belonging to the Synod, who shall convene at the time and place of meeting, with as many elders as may be present, shall be a quorum: provided not more than three of the said ministers belong to one Presbytery.—(*F. G. ch. xi, par. ii.*) The same rule as to corresponding members which is laid down for the Presbytery shall apply to Synod.—*F. G. ch. xi, par. iii.*

§ 117. The Synod shall convene at least once in every year for the transaction of synodical business.—*F. G. ch. xi, par. v.*

§ 118. Any two or more members meeting according to adjournment may adjourn from day to day until a sufficient number attend to make a quorum; but in case a quorum should not attend within a reasonable time, the moderator is competent to fix any time and place he may judge proper for convening the body; and if he be absent, the members should represent the matter speedily to him, that he may act accordingly.—*M. G. A.* 1796, *p.* 113.

§ 119. The moderator shall be empowered, on any extraordinary emergency, to convene the judicatory by his circular letter before the ordinary time of meeting. —*F. G. ch. xix, par. ii; M. G. A.* 1829, *p.* 268; *M. N. S. G. A.* 1855, *p.* 16.

§ 120. But the moderator cannot change the time and place of the regular meeting.

This may be done by a *pro re nata* meeting or by the higher court at the request of the members of the Synod.—*M. N. S. G. A.* 1854, *p.* 500; *O. S. G. A.* 1849, *p.* 247.

§ 121. It shall be the duty of the Synod to keep full and fair records of its proceedings, to submit them annually to the inspection of the General Assembly, and to report to the Assembly the number of its Presbyteries and of the members and alterations of the Presbyteries.—*F. G. ch. xi, par. vi.*

§ 122. The powers of Synod are—

(*a*) To receive and issue all appeals regularly brought up from the Presbyteries;

(*b*) To decide on all references made to them;

(*c*) To review the records of Presbyteries, and approve or censure them;

(*d*) To redress whatever has been done by Presbyteries contrary to order;

(*e*) To take effectual care that Presby-

teries observe the constitution of the Church;

(*f*) To erect new Presbyteries, and unite or divide those which were before erected;

(*g*) Generally to take such order with respect to the Presbyteries, Sessions, and people under their care as may be in conformity with the Word of God and the established rules, and which tend to promote the edification of the church;

(*h*) Finally, to propose to the General Assembly for their adoption such measures as may be of common advantage to the whole Church.—*F. G. ch. xi, par. iv.*

§ 123. Ministers dismissed by a Presbytery which has become extinct, and not received into any other, are to be considered as under the direction of their proper Synod, and ought to be disposed of as the Synod may order.—*M. G. A.* 1825, p. 146, 147.

§ 124. Members of an inferior judicatory may not vote on the approval of their own

minutes in Synod.—*M. G. A.* 1816, *p.* 611; 1821, *p.* 23.

§ 125. When exceptions are taken to the records of a Presbytery, the exceptions must be stated and reasons assigned on the minutes of the Synod.—*M. G. A.* 1820, *p.* 728; 1827, *p.* 202; *N. S. G. A.* 1857, *p.* 387.

§ 126. The minutes must be read at the close of the meeting and approved, and when recorded, must be attested by the stated clerk.

CHAPTER VII.

THE GENERAL ASSEMBLY.

§ 127. The General Assembly is the fourth of the ecclesiastical judicatories, and the last and highest court of resort, and is entitled THE GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA.—*F. G. ch. xii, par. i.*

§ 128. It consists of an equal delegation of ministers and elders from each Presbytery.—*G. F. ch. xii, par. ii.*

§ 129. These delegates are styled *Commissioners to the General Assembly.*

§ 130. Any fourteen or more of these commissioners, one-half of whom shall be ministers, having met on the day and at the place appointed, shall be a quorum for the transaction of business.—*F. G. ch. xii, par. iii.*

§ 131. The General Assembly shall meet at least once in every year. On the day appointed for that purpose the moderator of the last Assembly if present, or in case of his absence some other minister, shall open the meeting with a sermon, and preside until a new moderator be chosen.—*F. G. ch. xii, par. vii.*

§ 132. No commissioner shall have a right to deliberate or vote in the Assembly until his name shall have been enrolled by the clerk and his commission examined and filed among the papers of the Assembly.—*F. G. ch. xii, par. vii.*

§ 133. The stated and permanent clerks constitute a standing committee of commissions, to whom commissioners must hand their commissions previously to the opening of the Assembly: afterward to the Committee on Elections.

§ 134. The only persons entitled to sit as corresponding members of the Assembly

are delegates from other Churches with which the Assembly may be in correspondence; the secretary of any of the permanent committees or boards while the business of that committee or board is under consideration in the house; and the stated and permanent clerks.

Powers of the General Assembly.

§ 135. The General Assembly shall receive and issue appeals and references which may be regularly brought before them from the inferior judicatories.—*F. G. ch. xii, par. iv.*

§ 136. They shall review the records of every Synod, and approve or censure them. —*Ibid.*

§ 137. They shall give their advice and instruction in all cases submitted to them in conformity with the Constitution of the Church.—*Ibid.*

§ 138. They shall constitute the bond of union, peace, correspondence, and mu-

tual confidence among all our churches.—*F. G. ch. xii, par. v.*

§ 139. They have power to decide in all controversies respecting doctrine and discipline.—*Ibid.*

§ 140. To reprove, warn, or bear testimony against error in doctrine or immorality in practice in any church, Presbytery, or Synod.—*Ibid.*

§ 141. To erect new Synods when it may be judged necessary.—*Ibid.*

§ 142. To superintend the concerns of the whole Church.—*Ibid.*

§ 143. To correspond with foreign Churches, on such terms as may be agreed upon by the Assembly and the corresponding body.—*Ibid.*

§ 144. To suppress schismatical contentions and disputations.—*Ibid.*

§ 145. In general, to recommend and attempt reformation of manners, and the promotion of charity, truth, and holiness through all the churches under their care. —*Ibid.*

§ 146. The General Assembly, however, is not a legislative body; as, before any overtures or regulations proposed by the Assembly to be established as constitutional rules shall be obligatory on the churches, it shall be necessary to transmit them to all the Presbyteries, and to receive the returns of at least a majority of them, in writing, approving thereof.—*F. G. ch. xii, par. vi.*

§ 147. It is ordinarily undesirable for the General Assembly to decide questions *in thesi*, which are liable to be brought before it in its judicial capacity, as it may thus virtually prejudge cases of discipline; it appears better that it should ordinarily follow, in this respect, the uniform practice of civil courts, to decide legal princi-

ples only upon actual cases presented.—*M. O. S. G. A.* 1844, *p.* 366; *N. S. G A.* 1856, *p.* 213.

§ 148. The Assembly cannot reverse the judicial acts of a former Assembly unless error be shown.—*M. G. A.* 1824, *p.* 213.

§ 149. The Assembly may reconsider and reverse a manifestly erroneous decision of a former Assembly.—*M. O. S. G. A.* 1842, *p.* 33; *N. S. G. A.* 1864, *p.* 475.

§ 150. It is not competent for the General Assembly to revise the proceedings of a previous Assembly in a judicial case.—*M. O. S. G. A.* 1864, *p.* 313.

Time of Meeting.

§ 151. Many years' usage has fixed the meeting of the Assembly statedly on the third Thursday of May in each year.

Order of Organizing.

§ 152. At 11 o'clock the opening sermon is preached by the moderator by whose

mandate the Assembly has been convened. Immediately after sermon he opens the session with prayer, and calls for the report of the Committee on Commissions. This report being read, a Committee of Elections is appointed. There is now usually a recess until after dinner. The Committee of Elections then bring in their report, and the roll being thus completed, a moderator and temporary clerks are chosen; the duties of the last moderator terminate with the inauguration of his successor.

Absence of the Moderator.

§ 153. In the absence of the moderator, no person is authorized to open the sessions of the Assembly, or to preside at the opening of said sessions, except a commissioner to the Assembly, selected for the purpose by the commissioners, met at the time and place fixed for said meeting.—*M. O. S. G. A.* 1843, *p.* 194.

Election of a Moderator.

§ 154. Any commissioner may nominate

a candidate for the chair. The candidates so pointed out shall then severally give their votes for some one of their number and withdraw, when the remaining commissioners shall proceed *viva voce* to choose one of the said candidates for moderator.

§ 155. A majority of all the votes given are necessary to a choice.—*M. O. S. G. A.* 1846, *p.* 189.

Installing the Moderator.

§ 156. When the new moderator hath been elected, before he take the chair the former moderator shall address him and the house in these words:

Sir: It is my duty to inform you and announce to this house that you are duly elected to the office of moderator in this General Assembly. For your direction in office, and for the direction of this Assembly in all their deliberations, before I leave this seat I am to present to you and this house the rules of this Assembly, which I doubt not will be carefully observed by both in conducting the business that may come before you.

Having now presented these rules, according to order, for your instruction as moderator and for the

direction of all the members in the management of business, praying that Almighty God may direct and bless all the deliberations of this General Assembly for the glory of His name and for the edification and comfort of the Presbyterian Church in the United States, I resign my place and office as moderator.

—*M. G. A.* 1822, *pp.* 15, 16.

Stated Clerk.

§ 157. The stated clerk shall transcribe for the press such parts as may be necessary of the minutes ordered to be published from year to year. He shall correct the press, and superintend the printing of all the minutes and papers which shall be ordered to be printed by the General Assembly. As soon as the extracts are printed from year to year, he shall send one copy by mail to each Presbytery and a copy to each minister of every Presbytery that pays the full assessment to the contingent fund of the General Assembly.

He shall have charge of all the books and papers of the General Assembly; shall cause their minutes to be fairly transcribed into the book or books provided for the

purpose; and give attested copies of all minutes and other documents when properly required so to do.

Permanent Clerk.

§ 158. The duty of the permanent clerk shall be, from year to year, to draught the minutes of the Assembly during their sessions, and afterwards to perform such services respecting the transcribing, printing, and distributing the extracts as shall be assigned him from time to time.

The permanent clerk shall furnish all the stationery for the use of the Assembly and the several clerks. He shall make the original draught of all the minutes, and give certified copies, as occasion may require, of all such as may be proper to be transmitted to the trustees of the General Assembly, or any of their officers. After the Assembly rises, from year to year, he shall carefully revise the manuscript, render it correct and legible, and deliver it over to the stated clerk.

Temporary Clerks.

§ 159. Two temporary clerks are chosen by each Assembly to read the minutes and communications to the Assembly, and otherwise aid the permanent clerk as occasion may require.

Choice of Clerks not confined to Members of the Assembly.

§ 160. That it be considered as the right of every member of the Assembly to vote for a clerk who is not a member of the body.—*M. G. A.* 1793, *p.* 64.

§ 161. Each session of the Assembly shall be opened and closed with prayer. And the whole business of the Assembly being finished, and the vote taken for dissolving the present Assembly, the moderator shall say from the chair:

By virtue of the authority delegated to me by the Church, let this General Assembly be dissolved, and I do hereby dissolve it, and require another General Assembly, chosen in the same manner, to meet at ———, on the ——— day of ———, A. D. ———.

After which he shall pray and return thanks, and pronounce on those present the apostolic benediction.—*F. G. ch. xii, par. viii.*

CHAPTER VIII.

OFFICERS OF CHURCH COURTS.

§ 162. In every church court, properly and fully constituted, there are certain officers, to whom definite powers and duties appertain.

§ 163. In a church Session, the officers are a moderator and clerk.

§ 164. When a Session is convened and properly constituted for business, the moderator must preside.

§ 165. In the absence of the clerk, the Session must choose a clerk *pro tempore*, who shall record the proceedings and transmit them to the clerk to be recorded in due form.

§ 166. The officers of a Presbytery are a moderator, a stated clerk, and temporary clerk.

§ 167. The moderator of a Presbytery is a minister chosen by the body to fill the place from one stated meeting to the next, that is, for a period of six months.

§ 168. At a stated meeting of Presbytery, after the calling of the roll by the stated clerk, the first business in order is the election of a moderator, and the person so elected must immediately take the chair.

§ 169. Such moderator must, when required, call all *pro re nata* meetings, and preside at all meetings of the body during his term of office. He must also preach the opening sermon at the next stated meeting, and preside in such meeting until his successor is elected.

§ 170. The stated clerk should be present at every meeting of the body to discharge the duties assigned him; and in case of his absence or inability to act, the body must choose a clerk *pro tempore*.

§ 171. The temporary clerk may be elect-

ed at every meeting of the body, and his duty is to make a fair record of the proceedings of the meeting and transmit them to the stated clerk for record.

§ 172. The treasurer is usually elected by the body from the ruling elders for an indefinite period. His duties are to receive and disburse the funds of the body according to their direction, and to make a report of his accounts to the body annually.

§ 173. The officers of a Synod are the same as in the Presbytery, and their mode of election, continuance in office, and several duties, are governed by the same general rules.

§ 174. The officers of the General Assembly are moderator, stated clerk, permanent clerk, and temporary clerks.

CHAPTER IX.

COMMITTEES AND COMMISSIONS.

§ 175. In every church court, as well as in every particular church or congregation, there are requisite various committees for the expedition and proper transaction of the business pertaining to each part and to the whole Church, and for its general edification and prosperity.

§ 176. The committees of the General Assembly are divided into three classes, viz: Permanent committees or boards, standing committees, and special committees.

§ 177. The permanent committees or boards are at present (1873) as follows:

Home Missions, located at New York.

Foreign Missions, located at New York.

Education, located at Philadelphia.

Church Erection, located at New York.

Ministerial Relief, located at Philadelphia.

Publication, located at Philadelphia.

Freedmen, located at Pittsburg.

Sustentation Fund, located at Allegheny.

Manses, located at Philadelphia.

Benevolence and Finance, located at New York.

§ 178. These committees or boards are constituted of ministers and elders chosen by the Assembly usually from the vicinity of the centre of their operations; and their duties are sufficiently indicated by the designations of the boards themselves. They are generally incorporated, or organized under the laws of the State where they are located, and governed by the regulations of their respective charters or organizations.

§ 179. The standing committees are those which are appointed by the modera-

tor of each Assembly for the execution of the business of that Assembly, and are usually announced by him on the morning of the second day of the sessions. They are as follows:

Bills and Overtures, consisting of eight ministers and seven elders.

Judicial, consisting of eight ministers and seven elders.

Polity of the Church, consisting of eight ministers and seven elders.

Foreign Missions, consisting of eight ministers and seven elders.

Home Missions, consisting of eight ministers and seven elders.

Education, consisting of eight ministers and seven elders.

Publication, consisting of eight ministers and seven elders.

Church Erection, consisting of eight ministers and seven elders.

Theological Seminaries, consisting of eight ministers and seven elders.

Sustentation Fund, consisting of eight ministers and seven elders.

Ministerial Relief, consisting of eight ministers and seven elders.

Freedmen, consisting of eight ministers and seven elders.

Correspondence, consisting of eight ministers and seven elders.

Narrative, consisting of three ministers and two elders.

Leave of Absence, consisting of eight ministers and seven elders.

Mileage, consisting of five elders.

Finance, consisting of five elders.

Devotional Exercises, consisting of three ministers and two elders.

Synodical Records, consisting of one minister and one elder for each.

§ 180. These committees act only during the sessions of the Assembly for which they are appointed, and are dissolved after they have completed their duties.

1. *Bills and Overtures.*

§ 181. Petitions, questions relating either to doctrine or order, intended to be

brought before the Assembly for decision, and in general all new propositions tending to general laws, shall usually be laid before the Committee on BILLS AND OVERTURES before they be offered to the Assembly.

2. *Judicial.*

§ 182. The duty of this committee shall be to take into consideration all appeals and references brought to the Assembly; to ascertain whether they are in order; to digest and arrange all the documents relating to the same; and to propose to the Assembly the best method of proceeding in each case.

3. *Polity.*

§ 183. To this committee is referred to examine and settle the true roll of the Presbyteries and Synods connected with the Assembly; and to receive the reports of the several Presbyteries on amending the Constitution of the Church.

§ 184. The duties of the other committees are sufficiently indicated by the titles which designate them.

§ 185. There are likewise two other committees, which may be called standing committees: The Committee on Commissions, consisting of the stated and permanent clerks; and the Committee on Elections, usually consisting of two ministers and one elder, appointed on the first day of the meeting, whose duty it is to report on the admission of any new members during the sessions of the body.

§ 186. The special committees are such as are raised from time to time in the regular order of business and for the special purposes and duties for which they are appointed. Such committees are usually provided for by motion of some member, and chosen by a vote or appointed by the moderator under direction of the body.

Synodical Committees.

§ 187. There is considerable variety in

the different Synods as to the number and designation of their committees. However, they may generally be divided into three classes, viz: Permanent or standing committees, regular committees, and special committees.

§ 188. The permanent or standing committees are such as are appointed for an indefinite term, to have charge of the matters respectively committed to them within the bounds of the Synod; and they are intended to correspond to the like series of committees of the Assembly, and to act in the same general work of the Church.

§ 189. They have similar designations and are charged with similar duties as those of the corresponding committees of the General Assembly.

§ 190. The regular committees are those appointed by the moderator at the stated meetings, whose duties terminate with the final adjournment. They are usually—

Bills and Overtures.

Judicial.
Narrative.
Leave of Absence.
Finance.
Minutes of General Assembly.
Devotional Exercises.
Presbyterial Records.

§ 191. The special committees are such as are raised in the transaction of business, and their functions cease with the conclusion of the special matter for which they were appointed.

Presbyterial Committees.

§ 192. As a Presbytery is a smaller body, confined to a narrower district, there are usually fewer committees than those of the Synod, but they partake of the same general character, and are similarly chosen.

Sessional Committees.

§ 193. The committees of a church Session are usually *special*, raised from time to time for special purposes.

Congregational Committees.

§ 194. The committees of a church or congregation may be *standing* or *special*, according to the nature and design of the business with which they are intrusted, and their appointment, designation, number, and term of action are governed by the system of regulations, by-laws, and usages prevalent in each particular congregation.

§ 195. It is important, if not essential to the well-being of every particular church, that it should have a board of trustees chartered or incorporated, to whom in succession the property of the church should be held for the use and under the direction of the congregation.

Commissions.

§ 196. A commission is an extraordinary committee of a church court, appointed either for some special business or to take cognizance of such as may arise during the vacations of the court.

§ 197. It differs from an ordinary committee in that it is empowered not only to inquire and prepare business for the action of the court, but also provisionally to come to any such determinations and enforce any such decisions as would be within the competence of the court itself.

§ 198. It differs from a court, as its decisions and determinations are merely provisional and of force *ad interim*, and must be subjected to the revision and ultimate determination of the court, by which they may be set aside and annulled, and which alone can by its sanction give them permanent authority.

§ 199. It differs from a court further, in the fact that from its decisions there can be no appeal, in the technical sense of that word; since an appeal supposes an inferior court and a definitive sentence; neither of which here exists.

§ 200. An aggrieved party may bring a

complaint against the acts of the commission, and they will of necessity be brought up for the revision of the court. But upon neither process do the questions arise which occur in reviewing the records of an inferior court, or hearing an appeal from its sentence, whether the court has kept within the limits of its competence under the constitution, and whether its sentence shall be reversed. On the contrary, the question which arises upon review of the acts of a commission is, whether the court will recognize as its own the decrees provisionally passed in its name? Should this question be answered in the affirmative, the decisions in question are at once vested with all the authority of the court; if in the negative, they are rendered null and void from the beginning.

§ 201. A further difference between a commission and a court appears in the fact, that whatever issues may arise or questions be decided upon the acts of a commission, its members sit, deliberate, and vote on

perfect equality of right with other members of the court.

§ 202 The number composing commissions has been determined by the convenience of the members and the importance of the business.

CHAPTER X.

JURISDICTION OF CHURCH COURTS.

§ 203. There are four ecclesiastical courts in our church government, according to the following order, viz: The Church Session, the Presbytery, the Synod, and the General Assembly.

§ 204. All actions for offence against church officers and members, except ministers, must be initiated in the Session of the church to which they respectively belong.

§ 205. All actions for offence against ministers must be initiated in the Presbytery of which they are members.

§ 206. And every action, judicial or otherwise, which may have ground for the consideration and determination of the courts, will carry the cause, of whatsoever

nature, in one of the four ways provided in the Form of Government, (by general review, by reference, by complaint, or by appeal,) in regular order from the court where it is regularly initiated, first to the next higher, then to the next, and finally to the General Assembly, which is the court of last resort.

§ 207. Any deviation from this order is irregular, and if permitted, must be so without any positive law.

§ 208. No court can interfere with the proper authority and jurisdiction of another: and all such interference will furnish cause of complaint against the court so interfering by the court whose jurisdiction is interfered with.

§ 209. The only courts which can originally try for offences are the church Session and the Presbytery, except in case of a minister of a defunct Presbytery; then the Synod to which that Presbytery belonged must institute proceedings.

§ 210. The Presbytery can only supervise the actions and judgments of the Session. They cannot take direct cognizance of the affairs of the congregation, unless by the consent of the Session, or in such cases as the Session and congregation may, by mutual agreement, refer to the Presbytery for their action.

§ 211. The Synod can properly review only the actions and judgments of the Presbytery. They cannot take cognizance directly of the actions and judgments of the Session, except in cases of contest between a Session and Presbytery, and where, by mutual consent, the parties make a reference of the matter in question to the Synod.

§ 212. The General Assembly, as an appellate court, can issue and determine judicial cases, when regularly brought before them, from the lower courts; can determine all doctrinal questions; can interpret the constitution, decide controversies respecting discipline, and give advice and

instruction in all cases submitted to them in conformity with the Constitution of the Church; and they can also overture the Presbyteries for amendments to the Constitution or organic law of the whole Church.

§ 213. But their decisions are of no force to establish any new law, and can only be employed as precedents for future guidance.

§ 214. The law-making power is the Presbyteries only.

§ 215. No judicatory of our Church has any legitimate functions save those which, either expressly or by clear implication, the Constitution confers.

§ 216. The disciplinary functions of the General Assembly are of two kinds, *advisory* and *authoritative;* and between these there should be a careful discrimination.

§ 217. The *advisory* function of the Assembly is of very wide scope. According to the Form of Government, they have the

power of reproving, warning, or bearing testimony against error in doctrine, or immorality in practice in any church, Presbytery, or Synod, and of recommending reformation of manners through all the churches under their care. This function of reproof may be exercised in reference to any evil grave enough to call for it. Nor is it an unimportant function. The testimony of such a body as the General Assembly, especially if unanimously given, must have great weight. It has, indeed, only a moral influence. It is not authoritative. It binds no other body, not even a succeeding General Assembly. It binds no individual; yet cases are not infrequent in which a moral influence of this sort, if not the only one that can be employed, is the most efficacious. It has greater power over the conscience, often, than the most stringent exercise of bare authority.

§ 218. The *authoritative* function of the Assembly, or its power of discipline, can only be exercised in the forms and meth-

ods marked out in the Constitution. It is by no means coextensive with its testifying power. As counsel or testimony has only a moral force, the manner in which it shall be put forth is wisely left to the discretion of the Assembly. Not so with discipline; concerning, as it does, the dearest rights and interests, it is of the highest importance that the mode of its exercise should be particularly prescribed. So we find it in our Form of Government. Every step is distinctly set forth, and the greatest care taken to guard all concerned against mistake and abuse.

§ 219. The methods in which the *authoritative* action of the Assembly may be evoked are set forth in the seventh chapter of the Book of Discipline.—(See *Chap. XXIII.*)

§ 220. The General Assembly has no power to *commence* a process of discipline with an individual offender. That, by a just and wise arrangement, belongs to the Session in the case of a layman, and to the

Presbytery in the case of a minister. The disciplinary function of the Assembly as to individuals is simply appellate and revisionary. It is not the court of first, but of last resort.

§ 221. In the way of *general review and control*, it can reach *directly* only the judicatory next below—that is, the Synod. Indirectly, indeed, the doings of other bodies may be involved. A Session may grossly neglect discipline, for example, and the recorded indication or the common fame thereof may not be properly heeded by the Presbytery. The fruit of this heedlessness, or the evidence of it in the presbyterial records, may call forth no appropriate action on the part of the Synod; and this may be brought by the synodical records, or by general rumor, to the knowledge of the Assembly. On the ground of either the record or the rumor, the Assembly may cite the Synod before them. Thus *mediately* may even a Session be reached, but not directly.

CHAPTER XI.

THE ELECTION AND ORDINATION OF RULING ELDERS AND DEACONS, AND THE INSTALLATION OF RULING ELDERS IN OTHER CHURCHES.

§ 222. Ruling elders are properly the representatives of the people, chosen by them for the purpose of exercising government and discipline, in conjunction with pastors or ministers.—*F. G. ch. v.*

§ 223. Deacons are officers in the church, whose business it is to take care of the poor, and to distribute among them the collections which may be raised for their use. To them also may be properly committed the management of the temporal affairs of the church.—*F. G. ch. vi.*

§ 224. Every congregation shall elect persons to the office of ruling elder and to the office of deacon, or either of them, in the mode most approved and in use in that

congregation. But in all cases the persons elected must be male members in full communion in the church in which they are to exercise their office.—*F. G. ch. xiii, par. ii.*

§ 225. The ruling elder is, by virtue of his election and ordination, a member of the church Session of the particular congregation by which he is chosen, and as such is entitled to all the rights, privileges, and honors, as well as liable to all the responsibilities and duties, which are prescribed for the members of a Session.

§ 226. The deacon has no part in the spiritual government and discipline of the church, and cannot be a member, by virtue of his office, of any of our church courts.

§ 227. When a person shall have been elected to either of these offices, and shall have declared his willingness to accept thereof, he shall be set apart in the following manner, viz:

After sermon the minister shall state, in a concise manner, the warrant and nature of the office of ruling elder or deacon, together with the character proper to be sustained and the duties to be fulfilled by the officer elect; having done this, he shall propose to the candidate, in the presence of the congregation, the following questions, viz:

1. Do you believe the Scriptures of the Old and New Testaments to be the word of God, the only infallible rule of faith and practice?

2. Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?

3. Do you approve of the government and discipline of the Presbyterian Church in these United States?

4. Do you accept the office of ruling elder (or deacon, as the case may be) in this congregation, and promise faithfully to perform all the duties thereof?

5. Do you promise to study the peace, unity, and purity of the church?

The elder or deacon elect having answered these questions in the affirmative, the minister shall address to the members of the church the following question, viz:

Do you, the members of this church, acknowledge and

receive this brother as a ruling elder, (or deacon,) and do you promise to yield him all that honor, encouragement, and obedience in the Lord to which his office, according to the Word of God and the Constitution of this Church, entitles him?

The members of the church having answered this question in the affirmative, by holding up their right hands, the minister shall proceed to set apart the candidate by prayer to the office of ruling elder, (or deacon, as the case may be,) and shall give to him and to the congregation an exhortation suited to the occasion.

Where there is an existing Session, it is proper that the members of that body, at the close of the service and in the face of the congregation, take the newly-ordained elder by the hand, saying in words to this purpose—

We give you the right hand of fellowship to take part of this office with us.

—*F. G. ch. xiii, par. iii–v.*

§ 228. The offices of ruling elder and deacon are both perpetual, and cannot be laid aside at pleasure.—*F. G. ch. xiii, par. vi.*

§ 229. No person can be divested of either office but by deposition.—*Ibid.*

§ 230. Yet an elder or deacon may become, by age or infirmity, incapable of performing the duties of his office; or he may, though chargeable with neither heresy nor immorality, become unacceptable, in his official character, to a majority of the congregation to which he belongs. In either of these cases he may, as often happens with respect to a minister, cease to be an acting elder or deacon.—*Ibid.*

§ 231. Whenever a ruling elder or deacon, from either of these causes, or from any other not inferring crime, shall be incapable of serving the church to edification, the Session shall take order on the subject, and state the fact, together with the reasons of it, on their records: Provided always, that nothing of this kind shall be done without the concurrence of the individual in question, unless by the advice of Presbytery. —*F. G. ch. xiii, par. vii.*

§ 232. A ruling elder or deacon who has in either of the above modes been divested of his official prerogatives, cannot be a member of any of our church courts while thus divested.

§ 233. An elder once divested of his official prerogatives may on good grounds be recommended by the Session to re-election by the congregation, when he shall be re-installed, but not reordained.

§ 234. When an elder is dismissed, at his own request, to join another church, his certificate should be, "as a member and ruling elder in good standing," &c. The church to which he goes may elect him to serve as an elder over them: in which case he must be installed, but not re-ordained.—*M. O. S. G. A.* 1849, *p.* 265; 1856, *p.* 539.

§ 235. If an elder be suspended from the communion of the church, he cannot be restored to the functions of his office, though

restored to the communion, without a special and express act of the Session, with the acquiescence of the church.—*M. G. A.* 1836, *p.* 263.

§ 236. Deposition and excommunication are distinct things, not necessarily connected with each other. The former does not include the latter.—*M. G. A.* 1814, *p.* 549.

§ 237. An elder of one church has no right to adjudicate in another church of which he is not a member, even though he should be invited by the church to do so.—*M. G. A.* 1831, *p.* 175.

§ 238. An elder elect is not a member of the Session, or competent to sit in a judicial case before he is ordained.—*M. N. S. G. A.* 1868, *p.* 58.

CHAPTER XII.

LICENSING CANDIDATES TO PREACH THE GOSPEL AND ORDAINING MINISTERS.

§ 239. The power of licensing candidates to preach the gospel and ordaining ministers belongs solely to the Presbytery.

§ 240. Every candidate for licensure shall be taken on trials by that Presbytery to which he most naturally belongs, or generally that Presbytery within whose bounds he has ordinarily resided.—*F. G. ch. xiv, par. ii.*

§ 241. But in cases of obvious convenience, a Presbytery at a distance from that to which he would naturally belong may receive such candidate.—*Ibid.*

§ 242. When a candidate is to be received under the care of a Presbytery, he

must furnish testimonials of personal piety and other requisite qualifications.—*Ibid.*

§ 243. It is further required, that the Presbytery receiving should examine the candidate on his experimental acquaintance with religion and the motives which influence him to desire the sacred office.—*F. G. ch. xiv, par. iii.*

§ 244. The sources of evidence in this examination are stated in the Form of Government as follows:

(*a*) Testimonials of a Presbytery or of two ministers in good standing in a Presbytery.

(*b*) Testimonials of good moral character and of regular membership in some particular church.

(*c*) A diploma of bachelor or master of arts from some college or university.

(*d*) Authentic testimonials of having gone through a regular course of learning.

(*e*) In some one or all these ways the

testimony presented must be satisfactory to the Presbytery.—*F. G. ch. xiv, par. ii, iii.*

§ 245. In addition to such preliminary examination the Presbytery shall further examine the candidate in his knowledge of the Latin language and the original languages in which the Holy Scriptures were written; of the arts and sciences; of theology, natural and revealed; of ecclesiastical history; the sacraments and church government; and they shall require of him—(1) a Latin exegesis on some common head of divinity; (2) a critical exercise on some passage of scripture; (3) a lecture or exposition of several scripture verses; and (4) a popular sermon; or (5) some similar exercises that may serve to evince the candidate's piety, literature, and aptness to teach in the churches.—*F. G. ch. xiv, par. iv, v.*

§ 246. When the Presbytery deem it expedient, they may require the candidate

to deliver the lecture and popular sermon before some particular congregation.—*F. G. ch. xiv, par. v.*

§ 247. It is further recommended, that no candidate be licensed unless, in addition to his completion of a regular course of academical studies, he shall also have taken the usual course at some theological school or seminary, or at least shall have studied divinity for the term of two years under some approved divine or professor of theology.—*F. G. ch. xiv, par. vi.*

§ 248. The Presbytery, being satisfied of the fitness of the candidate, shall proceed to license him in the following manner:

(*a*) The moderator shall propound to him the following questions:

1. Do you believe the Scriptures of the Old and New Testaments to be the word of God, the only infallible rule of faith and practice?

2. Do you sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures?

3. Do you promise to study the peace, unity, and purity of the Church?

4. Do you promise to submit yourself in the Lord to the government of this Presbytery, or of any other Presbytery in the bounds of which you may be called?

(*b*) The candidate having answered in the affirmative to each of these questions, the moderator shall then offer prayer suitable to the occasion.

(*c*) Prayer being offered, the moderator should then say to the candidate in the following words:

"In the name of the Lord Jesus Christ and by that authority which he hath given to the Church for its edification, we do license you to preach the Gospel wherever God in his providence may call you, and for this purpose may the blessing of God rest upon you, and the spirit of Christ fill your heart: Amen."

(*d*) A record shall be made of the licensure in the following or like form:

At ———, the ——— day of ———, the Presbytery of ——— having received testimonials in favor of ——— of his having gone through a regular course of literature, of his good moral character, and of his being in the communion of the Church, proceeded to

take the usual parts of trial for his licensure; and he having given satisfaction as to his accomplishments in literature, as to his experimental acquaintance with religion, and to his proficiency in divinity and other studies, the Presbytery did and hereby do express their approbation of all these parts of trial; and he having adopted the Confession of Faith of this Church and satisfactorily answered the questions appointed to be put to candidates to be licensed, the Presbytery did and hereby do license him, the said ———, to preach the gospel of Christ as a probationer for the holy ministry within the bounds of this Presbytery, or wherever else he shall be orderly called.

(*e*) And a form of license shall be prepared and authenticated by the signatures of the moderator and stated clerk of the Presbytery, to be placed in the possession of the candidate.—*F. G. ch. xiv, par. vii, viii.*

§ 249. When any candidate for licensure, while his trials are going on, shall have occasion to remove from the bounds of his own Presbytery into those of another, it shall be considered regular for the latter Presbytery, on his producing proper testimonials from the former, to take up his

trials at the point at which they were left, and conduct them to a conclusion in the same manner as though they had been commenced by themselves.—*F. G. ch. xiv, par. ix.*

§ 250. When any candidate after lincensure shall, by the permission of his Presbytery, remove without its limits into the bounds of another, an extract of the record of his licensure, accompanied with a presbyterial recommendation signed by the clerk, shall be his testimonials to the Presbytery under whose care he shall come.—*F. G. ch. xiv, par. x.*

§ 251. No candidate shall be licensed for a longer term than four years; but the Presbytery may at the end of such term, if they deem it expedient in the premises, renew such license for one year.—*M. G. A.* 1872, *p.* 87.

§ 252. A licentiate is not a constituent member of Presbytery, and by virtue of his

license he has no authority to deliberate and vote in the body, or to administer the sacraments, or to perform the rite of marriage.

§ 253. Though candidates and licentiates are in training for the gospel ministry, and for this purpose are placed under the care of Presbyteries and are held responsible to them, yet in other respects they are to be regarded as belonging to the order of the laity till they have received ordination to the full work of the gospel ministry.—*M. G. A.* 1829, *p.* 263.

§ 254. When candidates for the gospel ministry are discovered to be unfit to go forward with their trials for the sacred office, it shall be the duty of the Presbytery to arrest their progress; and if further discipline be necessary, to remit them for that purpose to the Sessions of the churches to which they properly belong.—*Ibid.*

§ 255. When licentiates are found unworthy to be permitted to preach the gos-

pel, it shall be the duty of the Presbyteries to deprive them of their license; and if further discipline be necessary, to remit them for that purpose to the Sessions of the churches to which they properly belong. —*Ibid.*

§ 256. When a church Session shall see cause to commence process against a candidate or licentiate before the Presbytery has arrested the trials of the one or revoked the license of the other, the Session must give immediate notice to the moderator of the Presbytery that such process has been commenced.—*Ibid.*

§ 257. When a Presbytery sees cause to arrest the trials of a candidate or to revoke the license of a licentiate, they shall give notice of their intention to the Session to which such candidate or licentiate is amenable, that such Session may, if requisite, proceed with the regular order of discipline.—*Ibid.*

§ 258. When a candidate shall have

preached for a considerable time and his services do not appear to be edifying to the churches, the Presbytery may, if they think proper, recall his license.—*F. G. ch. xiv, p. xi.*

§ 259. When any licentiate or probationer, as he is called, shall have proved himself successful in the ministry of the Word and satisfactory to the people among whom he has been preaching, the Presbytery to which the duty belongs may proceed to ordain him to the full office of the gospel ministry, either as an evangelist or a missionary—that is, *sine titulo*, as it is termed.—*F. G. ch. xvi, par. xv.*

§ 260. In this case the following order is to be observed:

(*a*) The Presbytery, and especially if it be a different body from that which gave the license, shall carefully examine the candidate for ordination as to his acquaintance with experimental religion, his knowledge of philosophy, theology,

ecclesiastical history, the Greek and Hebrew languages, and such other branches of learning as to the Presbytery may appear requisite; and as to his knowledge of the constitution, the rules and principles of the government and discipline of the Church; and they shall require of the candidate such written discourse or discourses, founded on the Word of God, as the Presbytery may deem proper.

(*b*) The Presbytery, being fully satisfied with the qualifications of the candidate, shall appoint a day and place for his ordination. When, the Presbytery being convened, one of its members, previously appointed for the purpose, shall preach a discourse suitable to the occasion.

(*c*) The member of the Presbytery appointed to preside shall recite from the pulpit, in the hearing of those present, the proceedings of the Presbytery preparatory to this transaction, shall point out the nature and importance of the

ordinance, endeavoring to impress a proper sense of its solemnity.

(*d*) Then, addressing the candidate, he shall propose to him the following questions:

1. Do you believe the Scriptures of the Old and New Testaments to be the word of God, the only infallible rule of faith and practice?

2. Do you sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures?

3. Do you approve of the government and discipline of the Presbyterian Church in these United States?

4. Do you promise subjection to your brethren in the Lord?

5. Have you been induced, as far as you know your own heart, to seek the office of the holy ministry from love to God and a sincere desire to promote his glory in the gospel of his Son?

6. Do you promise to be zealous and faithful in maintaining the truths of the gospel and the purity and peace of the Church, whatever persecution or opposition may arise unto you on that account?

7. Do you engage to be faithful and diligent in the exercise of all private and personal duties, which become you as a Christian and a minister of the gospel, as well as in all relative duties and the public duties of your office, endeavoring to adorn the profession of the gospel by your conversation and walk-

ing with exemplary piety before the flock over which God shall make you overseer?

8. Are you now willing to undertake the work of an evangelist, (or whatever the proper designation may be,) and do you promise to discharge the duties which may be incumbent on you in this character, as God shall give you strength?

(*e*) The candidate having answered in the affirmative to each of these questions, he shall kneel down in a convenient place, and the presiding minister shall, by prayer and the laying on of the hands of the Presbytery, solemnly ordain him to the holy office of the gospel ministry.

(*f*) Prayer being ended, the candidate shall rise from his knees, and the presiding minister shall first, and afterwards the members of the Presbytery in their order, take him by the right hand, saying in words to this purpose—

We give you the right hand of fellowship to take part of this ministry with us.

(*g*) Then the presiding minister, or some other appointed for this purpose, shall give to the newly-ordained minister a solemn charge, recommending him

to persevere in the faithful discharge of his solemn duties.

(*h*) Prayer shall then be offered, a hymn sung, and the assembly dismissed with the usual blessing by the newly-ordained minister.

(*i*) The Presbytery shall make due record of the transaction, and enroll the name of the new member.—*F. G. ch. xv, par. xi, xii.*

§ 261. The minister then so ordained shall be a constituent member of the Presbytery, with all the rights and duties thereto pertaining, and shall thereafter be held in all respects amenable only to the court of which he may be a member; and he shall enter on such field of labor as may be indicated in the Providence of God, with the full authority of a minister of the gospel, to preach, to administer the sacraments, to perform the rite of marriage, and to do all other acts and things which properly belong to the sacred office.

CHAPTER XIII.

ELECTION AND CALL OF PASTORS OR BISHOPS.

§ 262. The title of pastor or bishop is given to a preacher of the gospel when he has been regularly and formally placed by a Presbytery in charge over a particular church or congregation.

§ 263. When any particular church or congregation shall be satisfied of the acceptableness of a licentiate, or probationer, or a fully-ordained minister, and appear to be prepared to select and call him to be their pastor or bishop, the Session of such church shall take measures to convene them for this purpose.—*F. G. ch. xv, par. i.*

§ 264. And it shall always be the duty of the Session to convene the church or congregation when a majority of those entitled to vote in the selection of a pastor shall by a petition request that such meeting be called.—*Ibid.*

§ 265. When such meeting is intended, the Session shall request some neighboring minister to preside over the proceedings of the congregation, unless this should be highly inconvenient; in which case they may proceed without such assistance, a member of the Session in that case presiding.—*F. G. ch. xv, par. ii.*

§ 266. On a Lord's day, at the time of public worship, it shall be announced from the pulpit that all the members of that congregation are requested to meet ——— ensuing, at the church or place for holding public worship, then and there, if it be agreeable to them, to proceed to the election of a pastor for that congregation.—*F. G. ch. xv, par. iii.*

§ 267. On the day appointed, the congregation being assembled, the minister invited to preside, if he be present and it be deemed expedient, may preach a sermon. But this may be omitted, and in such case the minister, or in his absence

the elder designated to preside, shall announce to the people that he will proceed to take the sense of the electors present, whether they will then proceed to the election of a pastor. This having been determined in the affirmative by a majority of voices, nominations for a pastor may be made, and the presiding officer shall then proceed to take votes accordingly. In this election no person shall be entitled to vote who refuses to submit to the censures of the church, regularly administered; or who does not contribute his just proportion, according to his own engagements, or the rules of that congregation, to all its necessary expenses.—*F. G. ch. xv, par. iv.*

§ 268. The votes being taken and the result announced, if it appear that a large minority are opposed to the candidate who has a majority of votes and cannot be induced to concur in the call, the person presiding shall endeavor to dissuade the congregation from the further prosecution of the matter—*F. G. chap. xv, par. v.*

§ 269. But if the people be nearly or entirely unanimous, or if the majority insist upon their right to have the matter prosecuted, the person presiding, after urging the congregation to unanimity, shall proceed to draw a call in due form, certifying at the same time in writing the number and circumstances of those who do not concur in the call—*Ibid.*

§ 270. The call shall be in the following or like form:

The congregation of ———, being on sufficient grounds well satisfied of the ministerial qualifications of you, ———, and having good hopes from our past experience of your labors that your ministrations in the gospel will be profitable to our spiritual interests, do earnestly call and desire you to undertake the pastoral office of this congregation, promising you in the discharge of your duty all proper support, encouragement, and obedience in the Lord. And that you may be free from worldly cares and avocations, we hereby promise and oblige ourselves to pay to you the sum of ———, in ——— payments, during the time of your being and continuing the regular pastor of this church.

In testimony whereof we have respectively subscribed our names this ——— day of ———, A. D. —.

Attested by B. D., moderator of the meeting.

—*G. F. chap. xv, par. vi.*

§ 271. The call may be subscribed by all the electors concurring in it, or if any congregation shall choose to subscribe their call by their elders or deacons, or by their trustees, or by a select committee, they shall be at liberty to do so. But in such case it shall be certified by the person presiding that such persons have been appointed for that purpose by a public vote of the congregation, and that the call has been in all other respects prepared as above directed.—*F. G. ch. xv, par. vii.*

§ 272. A full and accurate record, thus attested, together with the call, shall then be laid before the Presbytery to which the person chosen belongs, and the Presbytery, if they deem it expedient, may present the call to him; and no person shall receive such a call but through the hands of his Presbytery.—*F. G. ch. xv, par. ix.*

§ 273. If the call be to a person connected with another Presbytery than that to which the church so calling him belongs,

the church so calling must produce to that judicatory a certificate from its own Presbytery, regularly attested by the moderator and stated clerk, that the call has been laid before them and found to be in order.—*F. G. ch. xv, par. x.*

§ 274. The call, with the certificate, as above provided, being duly laid before the Presbytery to which the person so called belongs, his Presbytery shall present it to him, and, if he accept it, they shall then dismiss him from their jurisdiction, and require him to repair to that Presbytery within whose bounds he is called.—*Ibid.*

§ 275. If the person called be a licentiate so dismissed to the Presbytery with which the church calling him is connected, he shall be received by such Presbytery and submit himself to the trials prescribed for ordination, and if the way be clear, he shall be ordained, as provided in Chapter XII, § 260, 261.

§ 276. When so ordained he shall be

regularly installed as pastor of the church calling him, as prescribed in Chapter XIV, § 281.

§ 277. When a regularly-ordained minister, being so called, shall be dismissed as above provided, he shall be received as a member of the Presbytery with which the church calling him is connected, and that Presbytery shall proceed to install him in the manner provided in Chapter XIV, § 281.

CHAPTER XIV.

TRANSLATION OR REMOVING A MINISTER FROM ONE CHARGE TO ANOTHER, MANNER OF INSTALLATION, AND RESIGNATION OF PASTORAL CHARGE.

§ 278. No bishop shall be translated from one church to another, nor shall he receive any call for that purpose, but by the permission of the Presbytery.—*F. G. ch. xvi, par. i.*

§ 279. Any church desiring to call a settled minister from his present charge shall, by commissioners properly authorized, represent to the Presbytery the ground on which they plead his removal. The Presbytery, having maturely considered their plea, may, according as it appears more or less reasonable, either recommend them to desist from prosecuting the call, or may order it to be delivered to the minister to whom it is directed. If the parties be not prepared to have the matter issued at that Presbytery, a written citation shall

be given to the minister and his congregation to appear before the Presbytery at their next meeting. This citation shall be read from the pulpit of that church, by a member of the Presbytery appointed for that purpose, immediately after public worship, so that at least two Sabbaths shall intervene betwixt the citation and the meeting of the Presbytery at which the cause of translation is to be considered. The Presbytery being met, and having heard the parties, shall, upon the whole view of the case, either continue him, as they shall deem to be most for the peace and edification of the church, or refer the whole affair to the Synod at the next meeting for their advice and direction.—*F. G. ch. xvi, par. ii.*

§ 280. When the congregation calling any settled minister is within the limits of another Presbytery, that congregation shall obtain leave from the Presbytery to which they belong to apply to the Presbytery of which he is a member; and that

Presbytery, having cited him and his congregation as before directed, shall proceed to hear and issue the cause. If they agree to the translation, they shall release him from his present charge; and having given him proper testimonials, shall require him to repair to that Presbytery within the bounds of which the congregation calling him lies, that the proper steps may be taken for his regular settlement in that congregation; and the Presbytery to which the congregation belongs, having received an authenticated certificate of his release under the hand of the clerk of that Presbytery, shall proceed to install him in the congregation as soon as convenient: Provided always, that no bishop or pastor shall be translated without his own consent, previously obtained.—*F. G. ch. xvi, par. iii.*

§ 281. When any minister is to be settled in a congregation, the installment—which consists in constituting a pastoral relation between him and the people of

that particular church—may be performed either by the Presbytery or a committee appointed for that purpose, as may appear most expedient; and the following order shall be observed therein:

(*a*) A day shall be appointed for the installment, at such time as may appear most convenient, and due notice thereof given to the congregation.

(*b*) When the Presbytery or committee shall be convened and constituted on the day appointed, a sermon shall be delivered by some one of the members previously appointed thereto; immediately after which the bishop who is to preside shall state to the congregation the design of their meeting, and briefly recite the proceedings of the Presbytery relative thereto. And then, addressing himself to the minister to be installed, shall propose to him the following or similar questions:

1. Are you now willing to take charge of this congregation, as their pastor, agreeably to your declaration at accepting their call?

2. Do you conscientiously believe and declare, as far as you know your own heart, that in taking upon you this charge you are influenced by a sincere desire to promote the glory of God and the good of His Church?

3. Do you solemnly promise that, by the assistance of the grace of God, you will endeavor faithfully to discharge all the duties of a pastor to this congregation, and will be careful to maintain a deportment in all respects becoming a minister of the gospel of Christ, agreeably to your ordination engagements?

(*c*) To all these having received satisfactory answers, he shall propose to the people the following questions:

1. Do you, the people of this congregation, continue to profess your readiness to receive ———, whom you have called to be your minister?

2. Do you promise to receive the word of truth from his mouth with meekness and love, and to submit to him in the due exercise of discipline?

3. Do you promise to encourage him in his arduous labor, and to assist his endeavors for your instruction and spiritual edification?

4. And do you engage to continue to him, while he is your pastor, that competent worldly maintenance which you have promised, and whatever else you may see needful for the honor of religion and his comfort among you?

The people having answered these ques-

tions satisfactorily, by holding up their right hand in testimony of assent, he shall solemnly pronounce and declare the said minister to be regularly constituted the pastor of that congregation.

(*d*) A charge shall then be given by a minister to the new pastor, and also a charge to the people; and, after prayer and singing a psalm adapted to the transaction, the congregation shall be dismissed with the usual benediction.

(*e*) It is highly becoming that, after the solemnity of the installment, the heads of the families of that congregation who are then present, or at least the elders and those appointed to take care of the temporal concerns of that church, should come forward to their pastor, and give him their right hand, in token of cordial reception and affectionate regard.—*F. G. ch. xvi, par. iv-vii.*

Resignation of Pastoral Charge.

§ 282. When any minister shall labor

under such grievances in his congregation as that he shall desire leave to resign his pastoral charge, the Presbytery shall cite the congregation to appear by their commissioners at their next meeting, to show cause, if any they have, why the Presbytery should not accept the resignation. If the congregation fail to appear, or if their reasons for retaining their pastor be deemed by the Presbytery insufficient, he shall have leave granted to resign his pastoral charge, of which due record shall be made; and that church shall be held to be vacant, till supplied again in an orderly manner with another minister; and if any congregation shall desire to be released from their pastor, a similar process, *mutatis mutandis*, shall be observed.—*F. G. ch. xvii.*

CHAPTER XV.

VACANT CONGREGATIONS AND MISSIONS.

§ 283. When vacancies become so numerous in any Presbytery that they cannot be supplied with the frequent administration of the Word and ordinances, it shall be proper for such Presbytery, or any vacant congregation within their bounds, with the leave of the Presbytery, to apply to any other Presbytery, or to any Synod, or to the General Assembly, for such assistance as they can afford.

§ 284. And when any Presbytery shall send any of their ministers or probationers to distant vacancies, the missionary shall be ready to produce his credentials to the Presbytery or Presbyteries through the bounds of which he may pass, or at least to a committee thereof, and obtain their approbation.

§ 285. And the General Assembly may, of their own knowledge, send missionaries to any part to plant churches or to supply vacancies; and for this purpose may direct any Presbytery to ordain evangelists or ministers, without relation to particular churches: Provided always, that such missions be made with the consent of the parties appointed, and that the judicatory sending them make the necessary provision for their support and reward in the performance of this service.

§ 286. The general mission work of the Church is now committed to the Board of Home Missions, by whom missionaries are appointed and supported.

CHAPTER XVI.

QUORUM FOR JUDICIAL PURPOSES.

§ 287. Is a judicatory competent to act when a party or parties at the bar are necessarily included in the quorum? We answer in the affirmative.—*Baird.*

§ 288. No more important or responsible duty devolves on any judicatory than that of review, in which it sits in judgment for trial, not of individuals but of church courts, and in the course of which the members of the inferior court are present, not as members entitled to vote, but as respondents at the bar.—*Ibid.*

§ 289. Yet it will not be disputed that a bare quorum is competent to take up and perform this stated and imperative duty. By this ordinary case it is practically decided that members who are at the bar of the house, and so precluded from a vote on

the business in hand, are yet present in the sense of the constitution as part of the quorum.—*Ibid.*

§ 290. By definition of the constitution, by a continual series of precedents, and by universal consent, it is perfectly competent to erect courts whose rolls shall contain a number barely sufficient to form a quorum: Sessions having but one or two elders, Presbyteries having but three ministers, and Synods including but three Presbyteries. —*Ibid.*

§ 291. If these are really constitutional courts, they, as such, possess all the powers comprehended under their several definitions in the Constitution, including all the judicial powers pertaining to any other court of their own grade severally; competence, therefore, to exercise the functions of review and control over their constituent elements, of entertaining and deciding appeals and complaints, and of instituting and carrying through process in requisite

cases. In each of these instances, however, the process will ordinarily involve the decision of the matters at issue by a number fewer than a quorum: one or more of the members being in the attitude of respondents at the bar.—*Ibid.*

§ 292. There seems to be good reason to suppose that in this view is found the reason of the particular number three being fallen upon as a quorum of bishops or ministers. Should one be subjected to charges requiring process, there remains a plurality of persons of the same order to sit upon the trial.—*Ibid.*

§ 293. This suggests that the principle laid down at the head of this chapter is to be received with this proviso, that in the cases supposed there must be a plurality of members of the same order of the respondent present and sitting on the case.—*Ibid.*

§ 294. There must be a vote of at least two elders to inflict any censure upon a ruling elder; at least two ministers must

sit in judgment of a process against a minister; and members of at least two Presbyteries are requisite to sit upon a case involving a Presbytery.—*Ibid.*

§ 295. A Synod containing but three Presbyteries could not, therefore, issue a case in which one of the Presbyteries appeared as prosecutor and another as respondent. In other words, all decisions must be rendered by the concurrent votes of a plurality by the action of an assembly. —*Ibid.*

NOTE.—The above chapter is from Baird's Digest, and contains a clear statement of the reasoning which seems most natural upon the subject.

CHAPTER XVII.

JUDICIAL CASES—PRELIMINARY CONSIDERATIONS AND MEASURES.

§ 296. All church members, including elders and deacons, when accused of offence or crime, must first be tried by the church Session to which they belong.

§ 297. But there are exceptional cases, where an elder could not be tried by his Session: for example, the want of a plurality of his order in the Session to try him; as there must be a vote of at least two elders to inflict any censure upon a ruling elder.

§ 298. In all cases where the Session, for any reasons, are incompetent to try an elder, the Presbytery is the competent court to try him.—*M. G. A.* 1825, *p.* 142, 144.

§ 299. No church member can be judi-

cially tried on any matter of accusation or offence which cannot be proved to be such from Scripture, or from the regulations and practice of the Church founded on Scripture, or which does not involve those evils which discipline is intended to prevent.—*B. D. ch. i, par. iii, iv.*

§ 300. Offences are either private or public, to each class of which appropriate modes of proceeding belong.—*B. D. ch. i, par. vii.*

§ 301. In case of private offences, no judicial process ought to be prosecuted before the judicatory until steps are taken to reclaim the offender.—*B. D. ch. ii, par. ii.*

§ 302. No complaint or information, on the subject of personal or private injuries, shall be admitted, unless those means of reconciliation and of privately reclaiming the offender have been used which are required by Christ, Mat. xviii: 15, 16.—*B. D. ch. ii, par. iii.*

§ 303. Those who bring information of private and personal injuries before judicatories, without having taken these previous steps, shall themselves be censured as guilty of an offence against the peace and order of the Church.—*B. D. ch. ii, par. iv.*

§ 304. If any person shall spread the knowledge of an offence, unless so far as shall be unavoidable, in prosecuting it before the proper judicatory, or in the due performance of some other indispensable duty, he shall be liable to censure, as a slanderer of his brethren.—*B. D. ch. ii, par. v.*

§ 305. In case of a public offence, the proper court may take immediate judicial cognizance of the case, without compliance with the preliminary steps required in a case of private offence.—*B. D. ch. iii, par. iv.*

§ 306. The judicatory, in many cases,

may find it more for edification to send some members to converse in a private manner with the accused person, and if he confess guilt, to endeavor to bring him to repentance, than to proceed immediately to citation.—*B. D. ch. iv, par. ix.*

§ 307. Process, in case of scandal, shall commence within the space of one year after the crime shall have been committed, unless it shall have recently become flagrant. It may happen, however, that a church member, after removing to a place far distant from his former residence, and where his connection with the Church is unknown, may commit a crime, on account of which process cannot be instituted within the time above specified. In all such cases the recent discovery of the church membership of the individual shall be considered as equivalent to the crime itself having recently become flagrant. The same principle also applies to ministers if similar circumstances should occur.—*B. D. ch. xi, par. v.*

§ 308. An actual process in a judicial case may be initiated either by the judicatory itself, or by an individual or individuals, or upon common fame.—*B. D. ch. iv, par. ii.*

§ 309. When an individual or individuals institute a case, he or they must appear as accusers, and undertake to substantiate the charge; and the process must be pursued in the name of the accuser or accusers.—*B. D. ch. iv, par. iii.*

310. When a case is taken up on common fame, common fame is the accuser. If it should be found that the *general rumor* was raised by the rashness, censoriousness, or malice of one or more individuals, the court should censure the originators in proportion to the degree of criminality which appears attached to their conduct.—*Ibid.*

§ 311. In order to render an offence proper for the cognizance of a judicatory

on this ground, the *rumor* must specify some particular sin or sins; it must be general, or widely spread; it must not be transient, but permanent, and rather gaining strength than declining; and it must be accompanied with strong presumption of truth. Taking up charges on this ground of course requires great caution and the exercise of much christian prudence.—*B. D. ch. iii, par. v.*

§ 312. It may happen, however, that in consequence of a report, which does not fully amount to a *general rumor*, as just described, a slandered individual may request a judicial investigation, which it may be the duty of the judicatory to institute.—*B. D. ch. iii, par. vi.*

§ 313. Great caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit towards the accused; who is not of good character; who is himself under censure or process; who is deeply

interested, in any respect, in the conviction of the accused; or who is known to be litigious, rash, or highly imprudent.—*B. D. ch. iv, par. iv.*

§ 314. When a judicatory enters on the consideration of a crime or crimes alleged, no more shall be done at the first meeting, unless by consent of parties, than to give the accused a copy of each charge, with the names of the witnesses to support, and to cite all concerned to appear at the next meeting of the judicatory to have the matter fully heard and decided. Notice shall be given to the parties concerned at least ten days previously to the meeting of the judicatory.—*B. D. ch. iv, par. v.*

§ 315. The citation shall be issued and signed by the moderator or clerk, by order and in the name of the judicatory. He shall also furnish citations for such witnesses as the accused shall nominate to appear on his behalf.—*B. D. ch. iv, par. vi.*

§ 316. Although it is required that the accused be informed of the names of all the witnesses who are to be adduced against him at least ten days before the trial, unless he consent to waive the right and proceed immediately, it is not necessary that he, on his part, give a similar notice to the judicatory of all the witnesses intended to be adduced by him for his exculpation.—*B. D. ch. iv, par. vii.*

§ 317. In exhibiting charges, the times, places, and circumstances should, if possible, be ascertained and stated, that the accused may have an opportunity to prove an *alibi*, or to extenuate or alleviate his offence.—*B. D. ch. iv, par. viii.*

§ 318. When an accused person or a witness refuses to obey the citation, he shall be cited a second time, and if he still continue to refuse, he shall be excluded from the communion of the Church for his contumacy until he repent.—*B. D. ch. iv, par. x.*

§ 319. The time which must elapse between the *first* citation of an accused person or a witness and the meeting of the judicatory at which he is to appear is at least ten days. But the time allotted for his appearance in the *subsequent* citation is left to the discretion of the judicatory: Provided always, however, that it be not less than is quite sufficient for a reasonable and convenient compliance with the citation.—*B. D. ch. iv, par. xii.*

§ 320. The second citation ought always to be accompanied with a notice, that if the person cited do not appear at the time appointed, the judicatory, besides censuring him for his contumacy, will, after assigning some person to manage his defence, proceed to take the testimony in his case as if he were present.—*B. D. ch. iv, par. xiii.*

§ 321. Judicatories, before proceeding to trial, ought to ascertain that their citations have been duly served on the persons for whom they were intended, and especially

before they proceed to ultimate measures for contumacy.—*B. D. ch. iv, par. xiv.*

§ 322. As cases may arise in which many days, or even weeks, may intervene before it is practicable to commence process against an accused church member, the Session may in such cases and ought, if they think the edification of the Church requires it, to prevent the accused person from approaching the Lord's table until the charge against him can be examined.—*B. D. ch. iv, par. xviii.*

§ 323. When a member of a church judicatory (elder or minister) is under process, it shall be discretionary with the judicatory whether his privileges of deliberating and voting as a member in other matters shall be suspended until the process is finally issued or not.—*B. D. ch. v, par. ix.*

§ 324. No professional counsel shall be permitted to appear and plead in cases of

process in any of the courts. But if any accused person feel unable to represent and plead his own cause to advantage, he may request any minister or elder belonging to the judicatory before which he appears to prepare and exhibit his cause as he may judge proper. But the minister or elder so engaged shall not be allowed, after pleading the cause of the accused, to sit in judgment as a member of the judicatory.—*B. D. ch. iv, par. xxi.*

CHAPTER XVIII.

TRIAL.

§ 325. After the court is duly constituted and opened with prayer for Divine guidance, the moderator shall solemnly announce from the chair that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.—*G. A. Rule* 40.

§ 326. The charges and specifications shall then be read by the clerk, and the accused shall be called upon by the moderator to plead guilty or not guilty.

§ 327. If he plead guilty, the court shall, after private consideration and determination, proceed to pass their sentence through the moderator.

§ 328. If he plead not guilty, the prosecution shall then proceed to adduce proof of the charges as they are presented, and the witnesses shall be examined in the presence of the accused, who shall have the right to cross-examine, either by himself or by his counsel.—*B. D. ch. iv, par. xv.*

§ 329. All persons are not *competent* as witnesses, and all who are competent are not *credible.*—*B. D. ch. vi, par. i.*

§ 330. A *competent* witness is one who ought to be admitted and heard. The competency of a witness may be affected by his want of the proper age; by a want of any of the senses essential to a knowledge of the matter which he is called to establish; by weakness of understanding; by infamy of character; by being under church censure for falsehood or perjury; by nearness of relationship to any of the parties; and by a variety of considerations which cannot be specified in detail.—*B. D. ch. vi, par. ii.*

§ 331. Where there is room for doubt with regard to any of these points, either party has a right to challenge witnesses; and the judicatory shall candidly attend to the exceptions, and decide upon them.—*B. D. ch. vi, par. iii.*

§ 332. The *credibility* of a witness, or the degree of credit due to his testimony, may be affected by relationship to any of the parties; by deep interest in the result of the trial; by general rashness, indiscretion, or malignity of character; and by various other circumstances; to which judicatories shall carefully attend, and for which they shall make all proper allowance in their decision.—*B. D. ch. vi, par. iv.*

§ 333. A husband or wife shall not be compelled to bear testimony against each other in any judicatory.—*B. D. ch. vi, par. v.*

§ 334. The testimony of more than one witness is necessary in order to establish any charge, yet if several credible wit-

nesses bear testimony to different *similar* acts, belonging to the same general charge, the crime shall be considered as proved. *B. D. ch. vi, par. vi.*

§ 335. A member of the judicatory may be called upon to bear testimony in a case which comes before it. He shall be qualified as other witnesses are; and after having given his testimony, he may immediately resume his seat as a member of the judicatory.—*B. D. ch. vi, par. xv.*

§ 336. No witness afterward to be examined, except a member of the judicatory, shall be present during the examination of another witness on the same case, unless by consent of parties.—*B. D. ch. vi, par. vii.*

§ 337. The oath or affirmation to a witness shall be administered by the moderator in the following or like terms:

You solemnly promise, in the presence of the omniscient and heart-searching God, that you will declare the truth, the whole truth, and nothing but

the truth, according to the best of your knowledge, in the matter in which you are called to witness, as you shall answer it to the great Judge of quick and dead.

—*B. D. ch. vi, par. ix.*

§ 338. To prevent confusion, witnesses shall be examined first by the party introducing them, then cross-examined by the opposite party; after which any member of the judicatory or either party may put additional interrogatories. But no question shall be put or answered except by permission of the moderator.—*B. D. ch. vi, par. viii.*

§ 339. When the prosecution is examining his witnesses the defence shall not be permitted to ask any question of said witness until the prosecution shall have finished with him, and *vice versa*.

§ 340. When the prosecution shall have finished their proposed evidence, the accused shall then proceed to adduce his testimony in defence; and the *same* order shall be observed in the examination of

the witnesses for the defence as for the prosecution.

§ 341. Cases may arise in which it is not convenient for a judicatory to have the whole, or perhaps any part, of the testimony in a particular cause taken in their presence. In this case a commission of the judicatory, consisting of two or three members, may be appointed, and authorized to proceed to the place where the witness or witnesses reside and take the testimony in question, which shall be considered as if taken in the presence of the judicatory; of which commission and of the time and place of their meeting due notice shall be given to the opposite party, that he may have an opportunity of attending. And if the accused shall desire on his part to take testimony at a distance, for his own exculpation, he shall give notice to the judicatory of the time and place when it is proposed to take it, that a commission, as in the former case, may be appointed for the purpose.—*B. D. ch. vi, par. xiii.*

§ 342. Every question put to a witness shall, if required, be reduced to writing. When answered, it shall, together with the answer, be recorded, if deemed by either party of sufficient importance.—*B. D. ch. vi, par. x.*

§ 343. Questions of order, which arise in the course of process, shall be decided by the moderator. If an appeal is made from the chair, the question on the appeal shall be taken without debate.—*B. D. ch. iv, par. xxii.*

§ 344. But an appeal to the church Session from the moderator, if he be a minister, would not be in order. In this case exceptions to his decision must be filed to go before the Presbytery.

§ 345. When the witnesses have all been examined, the accused and the prosecutor shall have the privilege of commenting on their testimony to any reasonable extent.—*B. D. ch. vi, par. xiv.*

§ 346. In their pleadings, after all the witnesses have been examined, the defence shall first be heard, and afterward the prosecution.

§ 347. The pleadings having been heard, the court shall proceed deliberately to a conclusion of the whole matter, and declare their judgment.

§ 348. If the court find the party guilty, the person found guilty shall be admonished, or rebuked, or excluded from church privileges, as the case shall appear to deserve, until he give satisfactory evidence of repentance.—*B. D. ch. iv, par. xvii.*

§ 349. Such gross offenders as will not be reclaimed by the private or public admonitions of the church are to be cut off from its communion, agreeably to our Lord's direction, Matt. xviii: 17, and the apostolic injunction respecting the incestuous person, I Cor. v: 1–5.—*B. D. ch. iv, par. xx.*

§ 350. If the court find the party not guilty, they should recommend him to the confidence of the Church.

§ 351. The sentence shall be published only in the church or churches which have been offended; or, if the offence be of small importance, and such as it shall appear most for edification not to publish, the sentence may pass only in the judicatory.—*B. D. ch. iv, par. xix.*

§ 352. The judgment shall be regularly entered on the records of the judicatory; and the parties shall be allowed copies of the whole proceedings, at their own expense, if they demand them. And in case of references or appeals, the judicatory referring or appealed from shall send authentic copies of the whole process to the higher judicatory.—*B. D. ch. iv, par. xvi.*

§ 353. But the parties cannot "demand copies of the whole proceedings" from the clerk, but from the judicatory; as the clerk

without an order has no authority to give them.

§ 354. In recording the proceedings in cases of judicial process, the reasons for all decisions, except on questions of order, shall be recorded at length, that the record may exhibit everything which had an influence on the judgment of the court. And nothing but what is contained in the record may be taken into consideration in reviewing the proceedings in a superior court.—*B. D. ch. iv, par. xxiii.*

§ 355. The records of a judicatory, or any part of them, whether original or transcribed, if regularly authenticated by the moderator and clerk, or either of them, shall be deemed good and sufficient evidence in every other judicatory.—*B. D. ch. vi, par. xi.*

§ 356. In like manner testimony taken by one judicatory, and regularly certified, shall be received by every other judicatory as no less valid than if it had been taken by themselves.—*B. D. ch. vi, par. xii.*

CHAPTER XIX.

MODE OF PASSING SENTENCE AND OF RESTORING THE PENITENT TO CHURCH PRIVILEGES.

§ 357. The power which Christ hath given the rulers of his church is for edification, and not for destruction. As in the preaching of the word the wicked are doctrinally separated from the good, so by discipline the church authoritatively makes a distinction between the holy and the profane. In this she acts the part of a tender mother, correcting her children only for their good, that every one of them may be presented faultless in the day of the Lord Jesus.—*D. W. ch. x, par. i.*

§ 358. When any member of the church shall have been guilty of a fault deserving censure, the judicatory shall proceed with all tenderness and restore their offending brother in the spirit of meekness, consid-

ering themselves lest they also be tempted. Censure ought to be inflicted with great solemnity, that it may be the means of impressing the mind of the delinquent with a proper sense of his danger, while he stands excluded from the privileges of the church of the living God; and that with the divine blessing it may lead him to repentance.—*D. W. ch. x, par. ii.*

§ 359. When the judicatory has resolved to pass sentence suspending a member from church privileges, the moderator shall address him to the following purpose:

Whereas you are guilty (by your own confession, or convicted by sufficient proof, as the case may be) of the sin, (here mention the particular offence,) we declare you suspended from the sacraments of the church till you give satisfactory evidence of the sincerity of your repentance.

—*D. W. ch. x, par. iii.*

§ 360. To this shall be added such advice, admonition, or rebuke as may be judged necessary, and the whole shall be

concluded by prayer to Almighty God, that he would follow this act of discipline with his blessing. We judge it prudent in general that such censures be inflicted in the presence of the judicatory only; but if any church think it expedient to rebuke the offender publicly, this solemn suspension from the sacraments may be in the presence of the congregation.—*Ibid.*

§ 361. After any person hath been thus suspended from the sacraments, it is proper that the minister and elders and other christians should frequently converse with him, as well as pray for him in private, that it would please God to give him repentance. And it may be requisite likewise, particularly on days preparatory to the dispensing of the Lord's supper, that the prayers of the church be offered up for those unhappy persons who by their wickedness have shut themselves out from this holy communion.—*D. W. ch. x, par. iv.*

§ 362. When the judicatory shall be sat-

isfied as to the reality of the repentance of any offender, he shall be admitted to profess his repentance and be restored to the privileges of the church; which restoration shall be declared to the penitent in the presence of the Session or of the congregation, and followed with prayer and thanksgiving.—*D. W. ch. x, par. v.*

§ 363. When any offender has been adjudged to be cut off from the communion of the church, it is proper that the sentence be publicly pronounced against him. —*D. W. ch. x, par. vi.*

§ 364. The design of excommunication is to operate upon the offender as a means of reclaiming him, to deliver the church from the scandal of his offence, and to inspire all with fear by the example of his punishment.—*D. W. ch. x, par. vii.*

§ 365. The minister shall give the church or congregation a short narrative of the several steps which have been taken with

respect to their offending brother, and inform them that it has been found necessary to cut him off from the communion; and shall, in the presence of the church or congregation, pronounce the sentence in the following or like form, viz: He shall begin by showing the authority of the church to cast out unworthy members, from Mat. xviii: 15–18; I Cor. v: 1–5; and shall briefly explain the nature, use, and consequences of this censure, warning the people to avoid all unnecessary intercourse with him who is cast out.—*Ibid.*

§ 366. Then he shall say—

Whereas A. B. hath been, by sufficient proof, convicted of, (*here insert the sin,*) and after much admonition and prayer obstinately refuseth to hear the church, and hath manifested no evidence of repentance: therefore, in the name and by the authority of the Lord Jesus Christ, I pronounce him to be excluded from the communion of the church.

After which prayer shall be made that the blessing of God may follow his ordinance for the conviction and reformation of

the excommunicated person, and for the establishment of all true believers.—*D. W. ch. x, par. vii.*

§ 367. When one who has been excommunicated shall be so affected with his state as to be brought to repentance, and to desire to be readmitted to the privileges of the church, the Session, having obtained sufficient evidence of his sincere penitence, shall, *with the advice and concurrence of the Presbytery*, restore him. In order to which the minister shall, on two Lord's days previous thereto, inform the congregation of the measures which have been taken with the excommunicated person, and of the resolution of the Session to receive him again to the communion of the church.—*D. W. ch. x, par. viii.*

§ 368. On the day appointed for his restoration, when the other parts of divine service are ended, before pronouncing the blessing, the minister shall call upon the excommunicated person, and propose to

him, in the presence of the congregation, the following questions, viz:

1. Do you, from a deep sense of your great wickedness, freely confess your sin in thus rebelling against God, and in refusing to hear his church; and do you acknowledge that you have been, in justice and mercy, cut off from the communion of the saints?

Answer. I do.

2. Do you now voluntarily profess your sincere repentance and deep contrition for your sin and obstinacy; and do you humbly ask the forgiveness of God and of his church?

Answer. I do.

3. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection, and to endeavor to adorn the doctrine of God our Saviour, by having your conversation as becometh the gospel?

Answer. I do.

Here the minister shall give the penitent a suitable exhortation, addressing him in the bowels of brotherly love, encouraging and comforting him. Then he shall pronounce the sentence of restoration in the following words, viz:

Whereas you, A. B., have been shut out from the communion of the faithful, but have now manifested such repentance as satisfies the church: In the name of the

Lord Jesus Christ, and by his authority, I declare you absolved from the sentence of excommunication formerly denounced against you; and I do receive you into the communion of the church, that you may be a partaker of all the benefits of the Lord Jesus, to your eternal salvation.

The whole shall be concluded with prayer, and the people dismissed with the usual blessing.—*Ibid.*

CHAPTER XX.

PROCESS AGAINST A MINISTER.

§ 369. As no minister ought, on account of his office, to be screened from the hand of justice, nor his offences to be slightly censured, so neither ought scandalous charges to be received against him by any judicatory on slight grounds.—*B. D. ch. v, par. i.*

§ 370. Process against a minister shall always be entered before the Presbytery of which he is a member.—*B. D. ch. v, par. ii.*

§ 371. The same candor, caution, and general method, substituting only the Presbytery for the Session, are to be observed in investigating charges against him as are prescribed in the case of private members. —*Ibid.*

§ 372. Process against a gospel minister

shall not be commenced, unless some person or persons undertake to make out the charge; or unless common fame so loudly proclaim the scandal, that the Presbytery find it necessary for the honor of religion to investigate the charge.—*B. D. ch. v, par. v.*

§ 373. When complaint is laid before the Presbytery it must be reduced to writing.—*B. D. ch. v, par. viii.*

§ 374. The prosecutor of a minister shall be previously warned, that if he fail to prove the charges, he must himself be censured as a slanderer of the gospel ministry, in proportion to the malignancy or rashness that shall appear in the prosecution.—*B. D. ch. v, par. vii.*

§ 375. If a minister accused of atrocious crimes, being twice duly cited, shall refuse to attend the Presbytery, he shall be immediately suspended. And if, after another citation, he shall refuse to attend,

he shall be deposed as contumacious—*B. D. ch. v, par. xi.*

§ 376. If it be found that the facts with which a minister stands charged happened without the bounds of his own Presbytery, that Presbytery shall send notice to the Presbytery within whose bounds they did happen, and desire them either (if within convenient distance) to cite the witnesses to appear at the place of trial, or (if the distance be so great as to render that inconvenient) to take the examination themselves, and transmit an authentic record of their testimony: always giving due notice to the accused person of the time and place of such examination.—*B. D. ch. v, par. iii.*

§ 377. Nevertheless, in case a minister being supposed to be guilty of a crime or crimes at such a distance from his usual place of residence as that the offence is not likely to become otherwise known to the Presbytery to which he belongs, it

shall in such case be the duty of the Presbytery within whose bounds the facts shall have happened, after satisfying themselves that there is probable ground of accusation, to send notice to the Presbytery of which he is a member, who are to proceed against him, and either send and take the testimony themselves by a commission of their own body, or request the other Presbytery to take it for them, and transmit the same, properly authenticated.—*B. D. ch. v, par. iv.*

§ 378. If a minister confess guilt, and the matter be base and flagitious—such as drunkenness, uncleanness, or crimes of a higher nature, however penitent he may appear to the satisfaction of all—the Presbytery must without delay suspend him from the exercise of his office or depose him from the ministry; and if the way be clear for the purpose, appoint him a due time to confess publicly before the congregation offended, and to profess his penitence.—*B. D. ch. v, par. x.*

§ 379. If upon trial he be found guilty, the Presbytery must censure, admonish, suspend, or depose him, according to the nature of the offence.—*B. D. ch. v, par. xii.*

§ 380. Heresy and schism may be of such a nature as to infer deposition; but errors ought to be carefully considered, whether they strike at the vitals of religion, and are industriously spread; or whether they arise from the weakness of the human understanding, and are not likely to do much injury.—*B. D. ch. v, par. xiii.*

§ 381. A minister under process for heresy or schism should be treated with christian and brotherly tenderness. Frequent conferences ought to be held with him, and proper admonitions administered. For some more dangerous errors, however, suspension may become necessary. (*B. D. ch. v, par. xiv.*) If the Presbytery find, on trial, that the matter complained of amounts to no more than such acts of infirmity as may be amended, and the peo-

ple satisfied, so that little or nothing remains to hinder his usefulness, they shall take all prudent measures to remove the offence.—*B. D. ch. v, par. xv.*

§ 382. A minister deposed for scandalous conduct shall not be restored, even on the deepest sorrow for his sin, until after some time of eminent and exemplary, humble, and edifying conversation, to heal the wound made by his scandal. And he ought in no case to be restored until it shall appear that the sentiments of the religious public are strongly in his favor and demand his restoration.—*B. D. ch. v, par. xvi.*

§ 383. As soon as a minister is deposed, his congregation shall be declared vacant. —*B. D. ch. v, par. xvii.*

CHAPTER XXI.

NEW TESTIMONY AND NEW TRIAL.

§ 384. If, after a trial before any judicatory, new testimony be discovered, which is supposed to be highly important to the exculpation of the accused, it is proper for him to ask, and for the judicatory to grant, a new trial.—*B. D. ch. ix, par. i.*

§ 385. It sometimes happens, in the prosecution of appeals, that testimony which had not been exhibited before the inferior judicatory is represented to exist, and to be of considerable importance in the case.—*B. D. ch. ix, par. ii.*

§ 386. Representations of this kind ought not to be lightly, or of course sustained. But the superior judicatory ought to be well satisfied that the alleged testimony is of real importance, before they determine to put the inferior judicatory to the

trouble of a new trial.—*B. D. ch. ix, par. iii.*

§387. When such testimony, therefore, is alleged to exist, either by the appellant, or the judicatory appealed from, it will be proper for the superior judicatory to inquire into the nature and import of the testimony; what is intended to be proved by it; and whether there is any probability that it will really establish the point intended to be established.—*B. D. ch. ix, par. iv.*

§388. If it appear that the fact proposed to be established by the new testimony is important; that is, if it appear to be such a fact as, if proved, would materially alter the aspect of the cause; and if there be any probability that the testimony in question will be sufficient to establish the alleged fact, then the superior judicatory ought to send the cause back to the inferior for a new trial.—*B. D.* ch. *ix, par. v.*

§389. Cases may arise, however, in which the judicatory appealed from and the ap-

pellant may concur in requesting the superior judicatory to take up and issue the appeal, with the additional light which the new evidence may afford. In this case, and especially if very serious injury is likely to happen, either to the appellant or to the church, by the delay which a new trial would occasion, the superior judicatory may proceed to hear the new testimony, and to issue the appeal with the aid of the additional light which that testimony may afford.—*B. D. ch. ix. par. vi.*

§ 390. When, however, the judgment of the inferior judicatory is reversed, and it is apparent that the new testimony had considerable influence in procuring the reversal, it ought to be so stated in the decision of the superior judicatory, inasmuch as it would be injustice to the inferior judicatory to reverse their decision upon grounds which were never before them, without explaining the fact.—*B. D. ch. ix, par. vii.*

§ 391. If a court refuse to grant a new trial upon the allegation of new testimony, a complaint may lie.—*M. G. A.* 1812, *p.* 496.

§ 392. An order for a new trial does not restore the defendant.—*M. N. S. G. A.* 1846, *p.* 33.

CHAPTER XXII.

DISSENTS AND PROTESTS.

§ 393. A dissent is a declaration on the part of one or more members of a minority, in a judicatory, expressing a different opinion from that of the majority in a particular case. A dissent, unaccompanied with reasons, is always entered on the records of the judicatory.—*B. D. ch. viii, par. i.*

§ 394. A protest is a more solemn and formal declaration, made by members of a minority, as before mentioned, bearing their testimony against what they deem a mischievous or erroneous judgment; and is generally accompanied with a detail of the reasons on which it is founded.—*B. D. ch. viii, par. ii.*

§ 395. If a protest or dissent be couched in decent and respectful language, and contain no offensive reflections or insinuations against the majority of the judica-

tory, those who offer it have a right to have it recorded on the minutes.—*B. D. ch. viii, par. iii.*

§ 396. A dissent or protest may be accompanied with a complaint to a superior judicatory or not, at the pleasure of those who offer it. If not thus accompanied, it is simply left to speak for itself when the records containing it come to be reviewed by the superior judicatory.—*B. D. ch. viii, par. iv.*

§ 397. It may sometimes happen that a protest, though not infringing the rules of decorum either in its language or matter, may impute to the judicatory, whose judgment it opposes, some principles or reasonings which it never adopted. In this case the majority of the judicatory may with propriety appoint a committee to draw up an answer to the protest, which, after being adopted as the act of the judicatory, ought to be inserted on the records. —*B. D. ch. viii, par v.*

§ 398. When in such a case the answer of the majority is brought in, those who entered their protest may be of the opinion that fidelity to their cause calls upon them to make a reply to the answer. This, however, ought by no means to be admitted; as the majority might of course rejoin, and litigation might be perpetuated, to the great inconvenience and disgrace of the judicatory.—*B. D. ch. viii, par. vi.*

§ 399. When, however, those who have protested consider the answer of the majority as imputing to them opinions or conduct which they disavow, the proper course is to ask leave to take back their protest, and modify it in such a manner as to render it more agreeable to their views. This alteration may lead to a corresponding alteration in the answer of the majority, with which the whole affair ought to terminate.—*B. D. ch. viii, par. vii.*

§ 400. None can join in a protest against a decision of a judicatory excepting those

who had a right to vote in said decision. —*B. D. ch. viii, par. viii.*

§ 401. In the Assembly of 1846 (O. S.) leave was refused to have a dissent with reasons entered upon the record. The consideration influencing the body seems to have been the threatened introduction of several others should the one offered be recorded. The only justification attempted was in the suggestion that the language of Chapter VII, § 1, of the Book of Discipline seems to imply that a dissent may be rejected if accompanied with reasons. This is true, if taken with the limitation given in § 3 of the same chapter, if the reasons are not respectfully expressed. Otherwise a judicatory has no discretion, but it is bound to admit a dissent no less than a protest to record. The mistake seems to have arisen from a false idea that the difference between a dissent and a protest consists in the fact of the one being accompanied with reasons and the other being without. The true difference, as de-

termined alike by the Constitution as above cited and the practice of the Church, is, that in a dissent a party relieves himself from all responsibility for a given decision by a recorded act, to which he may attach reasons or not, at his discretion. A protest goes further, and not only declines responsibility for, but utters a solemn testimony against a decision, and may, as well as a dissent, be entered without reasons, although generally accompanied by them. *Baird.*

§ 402. The only question properly before a judicatory upon the presentation of a dissent or protest seems to be, is its language respectful and free from offensive reflections or insinuations? This being decided in the affirmative, the paper is entitled to record without further vote. If in the negative, the judicatory may still at its discretion record it.—*Ibid.*

CHAPTER XXIII.

THE VARIOUS WAYS OF CARRYING A CAUSE FROM A LOWER TO A HIGHER COURT.

§ 403. Every kind of decision which is formed in any church court, except the highest, is subject to review of a higher court, and may be carried before it either upon general review and control, or by reference, by complaint, or by appeal.—*B. D. ch. vii, par. ii.*

§ 404. All decisions formed in a church court may be divided into three classes: judicial, legislative, and administrative.

§ 405. A judicial decision is one formed on some matter involved in a judicial process—that is to say, where an accused party is put upon trial for some alleged offence.

§ 406. A legislative decision is one which involves the determination of some point, as to the meaning or the application of

the common or written law of the Church to particular facts or to a particular case.

§ 407. An administrative decision is one which directs a particular order of executive proceeding in all acts of a church court, *i. e.*, which orders the mode of proceedings.

On Review.

§ 408. It is the duty of every judicatory, above a church Session, at least once a year, to review the records of the proceedings of the judicatory next below.—*B. D. ch. vii, sec. i, par. i.*

§ 409. And if any lower judicatory shall omit to send up its records for this purpose, the higher may issue an order to produce them, either immediately or at a particular time, as circumstances may require.—*Ibid.*

§ 410. In reviewing the records of an inferior judicatory, it is proper to examine,

First. Whether the proceedings have been constitutional and regular;

Secondly. Whether they have been wise, equitable, and for the edification of the church;

Thirdly. Whether they have been correctly recorded.—*B. D. ch. vii, sec. i, par. ii.*

§ 411. In most cases the superior judicatory may be considered as fulfilling its duty by simply recording on its own minutes the animadversion or censure which it may think proper to pass on records under review, and also by making an entry of the same in the book reviewed.—*B. D. ch. vii, sec. i, par. iii.*

§ 412. But it may be that, in the course of review, cases of irregular proceedings may be found so disreputable and injurious, as to demand the interference of the superior judicatory. In cases of this kind the inferior judicatory may be required to review and correct its proceedings.—*Ibid.*

§ 413. No judicial decision, however, of

a judicatory shall be reversed, unless it be regularly brought up by appeal or complaint.—*B. D. ch. vii, sec. i, par. iv.*

§ 414. Judicatories may sometimes entirely neglect to perform their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground; or offenders of a very gross character may be suffered to escape; or some circumstances in their proceedings of very great irregularity may not be distinctly recorded by them: In any of which cases their records will by no means exhibit to the superior judicatory a full view of their proceedings. If, therefore, the superior judicatory be well advised, by *common fame*, that such neglects or irregularities have occurred on the part of the inferior judicatory, it is incumbent on them to take cognizance of the same; and to examine, deliberate, and judge in the whole matter, as completely as if it had been recorded, and thus brought up by the review of the records.—*B. D. ch. vii, sec. i, par. v.*

§ 415. When any important delinquency or grossly unconstitutional proceedings appear in the records of any judicatory, or are charged against them by *common fame*, the first step to be taken by the judicatory next above is to cite the judicatory alleged to have offended to appear at a specified time and place, and to show what it has done or failed to do in the case in question; after which the judicatory thus issuing the citation shall remit the whole matter to the delinquent judicatory, with a direction to take it up and dispose of it in a constitutional manner, or stay all further proceedings in the case, as circumstances may require.—*B. D. ch. vii, sec. i, par. vi.*

§ 416. Members of a judicatory are excluded from voting upon review of their own records.—*M. G. A.* 1816, *p.* 611; 1821, *p.* 23.

§ 417. A case cannot be issued judicially upon review, but the inferior court may be required to take up a case; and the rule of

limitation of time does not then apply.—*M. G. A.* 1810, *p.* 383; *O. S. G. A.* 1850, *p.* 481.

§ 418. A record once approved by a higher court cannot be altered or annulled by a lower court. If there be an error in the record, the remedy is to be sought by an application to the highest court that has reviewed and indorsed such mistake.—*M. N. S. G. A.* 1862, *p.* 34.

References.

§ 419. A reference is a judicial representation, made by an inferior judicatory to a superior, of a case not yet decided; which representation ought always to be in writing.—*B. D. ch. vii, sec. ii, par. i.*

§ 420. Cases which are new, important, difficult, of peculiar delicacy, the decision of which may establish principles or precedents of extensive influence, on which the sentiments of the inferior judicatory are greatly divided, or on which, for any

reason, it is highly desirable that a larger body should first decide, are proper subjects of reference.—*B. D. ch. vii, sec. ii, par. ii.*

§ 421. References are either for mere advice, preparatory to a decision by the inferior judicatory, or for ultimate trial and decision by the superior.—*B. D. ch. vii, sec. ii, par. iii.*

§ 422. In the former case, the reference only *suspends* the decision of the judicatory from which it comes; in the latter case, it totally relinquishes the decision, and submits the whole cause to the final judgment of the superior judicatory.—*B. D. ch. vii, sec. ii, par. iv.*

§ 423. Although references may in some cases, as before stated, be highly proper; yet it is, generally speaking, more conducive to the public good that each judicatory should fulfill its duty by exercising its judgment.—*B. D. ch. vii, sec. ii, par. v.*

§ 424. Although a reference ought generally to procure advice from the superior judicatory, yet that judicatory is not necessarily bound to give a final judgment in the case, even if requested to do so; but may remit the whole cause, either with or without advice, back to the judicatory by which it was referred.—*B. D. ch. vii, sec. ii, par. vi.*

§ 425. In cases of reference, the members of the inferior judicatory making it retain all the privileges of deliberating and voting, in the course of trial and judgment before the superior judicatory, which they would have had if no reference had been made.—*B. D. ch. vii, sec. ii, par. vii.*

§ 426. References are generally to be carried to the judicatory immediately superior.—*B. D. ch. vii, sec. ii, par. viii.*

§ 427. In cases of reference, the judicatory referring ought to have all the testimony and other documents, duly prepared,

produced and in perfect readiness, so that the superior judicatory may be able to consider and issue the case with as little difficulty or delay as possible.—*B. D. ch. vii, sec. ii, par. ix.*

§ 428. In cases of reference, the superior judicatory may take original testimony in certain cases, where they deem the testimony furnished by the referring court not sufficient or defective.—*M. O. S. G. A.* 1853, *p.* 455.

Principles or Rules Governing References.

§ 429. A complaint or appeal against a reference of a case is illegitimate and should not be entertained, because it implies an impeachment of the rightful jurisdiction of the court of reference, and because the exercise of a constitutional right, by the reference of the case being a matter at the entire discretion of the court referring, is no just ground of complaint.—*Baird.*

§ 430. No complaint or appeal is valid

which assumes to bring before the higher court the merits of a case which has been referred to it. If reference effectuates the sending up the case, it is incompetent in a party to supersede that action by an attempt to take it out of the hands of the referring court, and by a conflicting action bear it to the superior court.—*Ibid.*

§ 431. When the inferior body has by reference waived its jurisdiction, the act precludes any room to suppose injury done by it in so far as the matter referred is concerned; and it is therefore not allowable that the protective processes of appeal and complaint should be perverted to the overthrow of the prior and equally important rights of the inferior body in reference, and in sitting with others upon the case referred.—*Ibid.*

§ 432. The only cases in which an appeal or complaint may come in connection with a reference is when the inferior court has come to a decision of doubtful propriety in

connection with the case; as, for example, in regard to the propriety of entertaining the case, the competence of certain testimony, &c.—*Ibid.*

§ 433. For maintaining the rights of all parties and the integrity of the constitution inviolate, it is essential that all such points should be decided first by a judicial process, in which the inferior court would be excluded; and then, the inferior being admitted, the reference should be taken up and decided by the concurrent judgment of the whole body. The opposite course blots the right of reference to all practical purposes from the book.—*Ibid.*

Appeals

§ 434. An appeal is the removal of a cause already decided from an inferior to a superior judicatory by a party aggrieved. —*B. D. ch. vii, sec. iii, par. i.*

§ 435. All persons who have submitted to a regular trial in an inferior may ap-

peal to a higher judicatory.—*B. D. ch. vii, sec. iii, par. ii.*

§ 436. Any irregularity in the proceedings of the inferior judicatory; a refusal of reasonable indulgence to a party on trial; declining to receive important testimony; hurrying to a decision before the testimony is fully taken; a manifestation of prejudice in the case; and mistake or injustice in the decision—are all proper grounds of appeal.—*B. D. ch. vii, sec. iii, par. iii.*

§ 437. Appeals may be either from a part of the proceedings of a judicatory, or from a definitive sentence.—*B. D. ch. vii, sec. iii, par. iv.*

§ 438. Every appellant is bound to give notice of his intention to appeal, and also to lay the reasons thereof, in writing, before the judicatory appealed from, either before its rising, or within ten days thereafter. If this notice, or these reasons, be not given to the judicatory while in ses-

sion, they shall be lodged with the moderator.—*B. D. ch. vii, sec. iii, par. v.*

§ 439. Appeals are generally to be carried in regular gradation from an inferior judicatory to the one immediately superior. —*B. D. ch. vii, sec. iii, par. vi.*

§ 440. The appellant shall lodge his appeal and the reasons of it with the clerk of the higher judicatory before the close of the second day of the session.—*B. D. ch. vii, sec. iii, par. vii.*

§ 441. In taking up an appeal, after ascertaining that the appellant on his part has conducted it regularly, the *first* step shall be to read the sentence appealed from; *secondly*, to read the reasons which were assigned by the appellant for his appeal, and which are on record; *thirdly*, to read the whole record of the proceedings of the inferior judicatory in the case, including all the testimony, and the reasons of their decision: *fourthly*, to hear the orig-

inal parties; *fifthly*, to hear any of the members of the inferior judicatory in explanation of the grounds of their decision or of their dissent from it.—*B. D. ch. vii, sec. iii, par. viii.*

§ 442. *Who are the original parties.*

(*a*) There may be a responsible *prosecutor* and the *defendant*.

(*b*) A prosecuting *committee* and *defendant*.

(*c*) Upon a *fama clamosa* case the *court* may itself, without prosecutor or committee, conduct process against the *accused*.

(*d*) A *subordinate court*, under grievance, may enter complaint against a *superior court*.

(*e*) A *minority*, or *others*, may complain against the action of a *court*.

(*f*) A process may be conducted by *one court* against *another*.

(*g*) Whatever aspect the case may afterwards assume, at every stage of its process to final adjudication before the high-

est court, the parties above specified are the *original parties* in the cases severally.

§ 443. After all the parties shall have been fully heard, and all the information gained by the members of the superior judicatory from those of the inferior which shall be deemed requisite, the original parties, and all the members of the inferior judicatory, shall withdraw, when the clerk shall call the roll, that every member may have an opportunity to express his opinion on the case; after which the final vote shall be taken.—*B. D. ch. vii, sec. iii, par. ix.*

§ 444. The decision may be either to confirm or reverse, in whole or in part, the decision of the inferior judicatory, or to remit the cause, for the purpose of amending the record, should it appear to be incorrect or defective, or for a new trial.—*B. D. ch. vii, sec. iii, par. x.*

§ 445. If an appellant, after entering his appeal to a superior judicatory, fail to pros-

ecute it, it shall be considered as abandoned, and the sentence appealed from shall be final. And an appellant shall be considered as abandoning his appeal if he do not appear before the judicatory appealed to on the first or second day of its meeting next ensuing the date of his notice of appeal, except in cases in which the appellant can make it appear that he was prevented from seasonably prosecuting his appeal by the providence of God.—*B. D. ch. vii, sec. iii, par. xi.*

§ 446. Members of judicatories appealed from cannot be allowed to vote in the superior judicatory on any question connected with the appeal.—*B. D. ch. vii, sec. iii, par. xii.*

§ 447. If the members of the inferior judicatory, in case of a sentence appealed from, appear to have acted according to the best of their judgment, and with good intention, they incur no censure, although their sentence may be reversed. Yet if

they appear to have acted irregularly or corruptly, they shall be censured as the case may require.—*B. D. ch. vii, sec. iii, par. xiii.*

§ 448. If an appellant is found to manifest a litigious or other unchristian spirit in the prosecution of his appeal, he shall be censured according to the degree of his offence.—*B. D. ch. vii, sec. iii, par. xiv.*

§ 449. The necessary operation of an appeal is to suspend all further proceedings on the ground of the sentence appealed from. But if a sentence of suspension or excommunication from church privileges, or of deposition from office, be the sentence appealed from, it shall be considered as in force until the appeal shall be issued.—*B. D. ch. vii, sec. iii, par. xv.*

§ 450. It shall always be deemed the duty of the judicatory whose judgment is appealed from to send authentic copies of all their records, and of the whole testi-

mony relating to the matter of the appeal. And if any judicatory shall neglect its duty in this respect, especially if thereby an appellant, who has conducted with regularity on his part, is deprived of the privilege of having his appeal seasonably issued, such judicatory shall be censured according to the circumstances of the case.—*B. D. ch. vii, sec. iii, par. xvi.*

§ 451. An appeal shall in no case be entered except by one of the original parties.—*B. D. ch. vii, sec. iii, par. xvii.*

§ 452. Appeals are limited to judicial cases.—*M. O. S. G. A.* 1839, *p.* 160.

§ 453. In case of appeal or complaint, if the judicatory appealed from should fail to send up to the higher court the records of the case, the case may be postponed and considered at the next meeting.—*M. O. S. G. A.* 1842, *p.* 30; 1843, *p.* 192; 1852, *p.* 212.

§ 454. When a person is suspended by a

Session and restored by the Presbytery, the notice of appeal by the Session continues the person under the suspension until the appeal is issued, which must be at the next meeting of the upper court.—*M. O. S. G. A.* 1862, *p.* 597.

Complaints.

§ 455. Another method by which a cause which has been decided by an inferior judicatory may be carried before a superior is by complaint.—*B. D. ch. vii, sec. iv, par. i.*

§ 456. A complaint is a representation made to a superior by any member or members of a minority of an inferior judicatory, or by any other person or persons, respecting a decision by an inferior judicatory, which in the opinion of the complainants has been irregularly or unjustly made.—*B. D. ch. vii, sec. iv, par. ii.*

§ 457. The cases in which complaint is

proper and advisable are such as the following, viz:

(*a*) The judgment of an inferior judicatory may be favorable to the only party who has been placed at their bar; or

(*b*) The judgment in question may do no wrong to any individual; or

(*c*) The party who is aggrieved by it may decline the trouble of conducting an appeal. In any of these cases no appeal is to be expected. And yet the judgment may appear to some of the members of the judicatory to be contrary to the Constitution of the Church, injurious to the interests of religion, and calculated to degrade the character of those who have pronounced it. In such case the minority have not only the right to record in the minutes of the judicatory their dissent from this judgment, or their protest against it, but they have also a right to complain to the superior judicatory.—*B. D. ch. vii, sec. iv, par. iii.*

§ 458. Notice of a complaint shall always

be given before the rising of the judicatory or within ten days thereafter, as in the case of an appeal.—*B. D. ch. vii, sec. iv, par. iv.*

§ 459. When notice of complaint is given to a judicatory, *reasons* for such complaint must be given as in the case of an appeal.—*M. O. S. G. A.* 1855, *p.* 271, 272.

§ 460. This complaint brings the whole proceedings in the case under the review of the superior judicatory; and if the complaint appear to be well founded, it may have the effect not only of drawing down censure upon those who concurred in the judgment complained of, but also of reversing that judgment, and placing matters in the same situation in which they were before the judgment was pronounced. —*B. D. ch. vii, sec. iv, par. v.*

§ 461. In cases of complaint, however, as in those of appeal, the reversal of a judgment of an inferior judicatory is not necessarily connected with censure on that judicatory.—*B. D. ch. vii, sec. iv, par. vi.*

§ 462. None of the members of the judicatory whose act is complained of can vote in the superior judicatory on any question connected with the complaint—*B. D. ch. vii, sec. iv, par. vii.*

§ 463. A complaint will not lie against a refusal of a judicatory to decide a constitutional question *in thesi.*—*M. O. S. G. A.* 1844, *p.* 366.

§ 464. Advice given by a judicatory is not a subject-matter of complaint or removal of the case to a higher court.—*M. N. S. G. A.* 1852, *p.* 166.

§ 465. Where a court only expresses an opinion, without passing a judgment, this is no ground for complaint.—*M. O. S. G. A.* 1864, *p.* 312.

§ 466. The following is the mode of issuing a complaint, viz:

(*a*) Read the action complained of.

(*b*) The reasons of the complaint.

(*c*) The doings of the lower court in

the case, including all the testimony on which their action was based.

(*d*) Hear the original parties—first the complainant and then the defendant.

(*e*) Hear any of the members of the inferior court in explanation of the grounds of their decision or dissent from it.

(*f*) Exclude the original parties and the members of the court complained against: deliberate and decide.

§ 467. The moderator of a superior court, being a member of the inferior court, may not preside when a judicial case is being heard to which his court is a party.

§ 468. A memorial or petition cannot bring a case before a superior judicatory for judicial hearing.—*M. G. A.* 1807, *p.* 393; 1808, *p.* 408.

§ 469. A judicial case, when once adjudicated, cannot be revived on a simple memorial, as this course would give rise to endless litigation.—*M. O. S. G. A.* 1858, *p.* 298.

CHAPTER XXIV.

PARLIAMENTARY RULES.

PART I.

Moderator and Stated Clerk, duties of.

§ 470. The General Assembly have adopted certain rules for their guidance, which necessarily form the basis of the following parliamentary rules in reference to all points to which they relate.

§ 471. While the rules of the General Assembly make no part of the Constitution of the Presbyterian Church, they have been generally adopted by the subordinate judicatories for their guidance.

§ 472. The moderator shall take the chair precisely at the hour to which the judicatory stands adjourned, and shall immediately call the members to order, and on the appearance of a quorum, shall open the session with prayer.—*G. A. Rule* 1.

§ 473. If a quorum be assembled at the hour appointed, and the moderator be absent, the last moderator present, or if there be none the senior member present, shall be requested to take his place, without delay, until a new election.—*G. A. Rule* 2.

§ 474. No business can be entered upon in the absence of a quorum; and if at any time, in the course of the proceedings, notice is taken that a quorum is not present, and upon the members being counted by the moderator such appears to be the fact, the judicatory must cease to transact business until a quorum appears.

§ 475. If a quorum be not assembled at the hour appointed for the meeting, any two members shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble.—*G. A. Rule* 3.

Adjourned Meeting.

§ 476. When a judicatory has business before them which cannot reasonably be

transacted at the time of the meeting, they may hold an "adjourned meeting." A member moves that, "When we adjourn, we adjourn to meet in ——— on the ———, at — o'clock." In an adjourned meeting any business may be transacted that might have been legally considered in the original meeting.

§ 477. The necessary officers of a judicatory are a moderator, stated clerk, and in the larger judicatories a permanent clerk, and temporary clerk or clerks: all of whom, except the moderator of the Session, are elected by the body itself, by a majority vote.

The Moderator.

§ 478. The principal duties of this officer are as follows:

(*a*) To open the session at the time to which the judicatory is adjourned, by taking the chair and calling the members to order;

(*b*) To receive and submit, in the

proper manner, all motions and propositions presented by the members;

(*c*) To put to vote all questions which are regularly moved or necessarily arise in the course of the proceedings, and to announce the result;

(*d*) To restrain the members when engaged in debate within the rules of order, by preventing the members from interrupting each other, and by requiring them in speaking always to address the chair;

(*e*) To prevent a speaker from deviating from the subject and from using personal reflections;

(*f*) To receive all messages and other communications and announce them to the judicatory;

(*g*) To authenticate by his signature, when necessary, all acts, orders, and proceedings of the body;

(*h*) To inform the judicatory, when necessary, or referred to for the purpose, in a point of order or practice;

(*i*) To keep notes of the several ar-

ticles of business which may be assigned for particular days, and to call them up at the time appointed.—*G. A. Rule* 5.

(*k*) He may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the judicatory by any two members.—*G. A. Rule* 6.

(*l*) He shall appoint all committees, except in those cases in which the judicatory shall decide otherwise.—*G. A. Rule* 7.

(*m*) When a vote is taken by ballot in any judicatory, the moderator shall vote with the other members; but he shall not vote in any other case unless the judicatory be equally divided; when, if he do not choose to vote, the question shall be lost.—*G. A. Rule* 8.

§ 479. The moderator has the right to name a member to perform the duties of the chair temporarily, but such substitution shall not extend beyond an adjournment.

§ 480. The moderator may read sitting, but should rise to state a motion or put a question to the judicatory.

The Stated Clerk.

§ 481. It shall be the duty of the clerk, as soon as possible after the commencement of the sessions of every judicatory, to form a complete roll of the members present, and put the same into the hands of the moderator. And it shall also be the duty of the clerk, whenever any additional members take their seats, to add their names in their proper places to the said roll. —*G. A. Rule* 10.

§ 482. It shall be the duty of the clerk immediately to file all papers in the order in which they have been read, with proper indorsements, and to keep them in perfect order.—*G. A. Rule* 11.

§ 483. He must enter on the minutes what is done and passed, but not what is merely proposed or moved, without coming to a vote.

§ 484. It is the duty of the clerk to read all papers, &c., which may be ordered to be read; to call the roll and to take note of those who are absent; to call the roll and note the answers of the members when a question is taken by yeas and nays; to notify committees of their appointment and of the business referred to them; and to authenticate by his signature, sometimes alone and sometimes in conjunction with the moderator, all the acts, orders, and proceedings of the judicatory.

§ 485. The clerk is also charged with the custody of all the papers and documents of every description belonging to the judicatory, as well as the journal of its proceedings.

§ 486. It is the duty of the clerk to grant extracts from the records when directed so to do by the judicatory; and such extracts shall be considered authentic vouchers of the facts which they declare, in any ecclesiastical judicatory and to every part of the Church.

§ 487. When the stated clerk is absent, his place must be supplied by the election of some one to act *pro tempore*.

§ 488. The clerk must stand while reading or calling the judicatory.

§ 489. It is the duty of the stated clerk of every church judicatory to prepare a docket of business at each session or meeting of the body, and place it in the hands of the moderator, which should be as far as practicable the guide of the presiding officer for the expedition of business.—(See Appendix E for Form of Docket.)

PART II.

Introduction of Business.

§ 490. When the hour for the stated meeting of a judicatory, above the Session, arrives, the moderator shall commence religious services and preach a sermon; and when the religious services are over,

the moderator shall call the judicatory to order, and open with prayer.

§ 491. After which the stated clerk shall call the roll, and mark those who are present and those who are absent.

§ 492. The next business in order shall be to elect a moderator, and, if necessary, temporary clerks.

§ 493. The minutes of the last meeting of the judicatory shall be presented at the commencement of its sessions, and if requisite read and corrected.—*G. A. Rule* 12.

§ 494. Where the minutes are published, as is the case in our larger judicatories, it saves time and expedites business to circulate copies of them among the members, or refer them to a committee. An error discovered may be reported and corrected.

§ 495. Business unfinished at the last sitting is ordinarily to be taken up first.—*G. A. Rule* 13.

Of Motions.

§ 496. A motion made must be seconded, and afterwards repeated by the moderator or read aloud, before it is debated; and every motion shall be reduced to writing, if the moderator or any member require it.—*G. A. Rule* 14.

§ 497. A member, in order to make any motion, must first obtain the floor. In order to this he must rise and address the moderator; on hearing himself thus addressed, the moderator calls to the member by name; and the member may then, and not before, proceed with his business.

§ 498. If a motion is not seconded, no notice whatever is to be taken of it by the moderator, and no remarks are to be made upon it.

§ 499. If more than one member rise to speak at the same time, the member who is most distant from the moderator's chair shall speak first.—*G. A. Rule* 29.

§ 500. Any member who shall have made a motion shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon; but not afterwards, without the leave of the judicatory.—*G. A. Rule* 15.

Petitions or Memorials.

§ 501. A petition prays something: a remonstrance has no prayer. Petitions must be subscribed by the petitioners. Petitions can only be introduced by the moderator or some member of the judicatory.

§ 502. A brief statement of the contents of the petition or memorial should be made by the introducer.

§ 503. Regularly, a motion for receiving it must be made and seconded, and a question put whether it shall be received. But it may be received without the formality of a vote by general consent. When received, it is in the possession of the judicatory, to do as they will with it.

Order of Debate.

§ 504. When a member means to speak, he must rise and address himself to the moderator, who calls him by name, that the judicatory may take notice who it is that speaks, and he shall confine himself to the question and avoid personality.

§ 505. No member can speak more than twice on any question. But he may be permitted to speak again to clear a matter of fact, or merely to explain himself in some material part of his speech.

§ 506. Motions to lay on the table, to take up business, to adjourn, and the call for the previous question, shall be put without debate. On questions of order, postponement, or commitment, no member shall speak more than once. On all other questions each member may speak twice, but not oftener, without express leave of the judicatory—*G. A. Rule* 18.

§ 507. A member, having spoken twice

on the main question, may speak again on any *amendment* of the question.

§ 508. On questions of order, postponement, or commitment, no member shall speak more than once.

§ 509. When a question of order is raised, it is decided by the moderator without any previous debate. If the decision of the moderator is not satisfactory, any two members may appeal from the decision. The question is then stated by the moderator on the appeal, viz: "*Shall the decision of the moderator stand as the decision of the judicatory?*" and it is thereupon debated and decided by the judicatory in the same manner as any other question, except that the moderator is allowed to take part in the debate.—*Cushing, and G. A. Rule* 6.

§ 510. But when the body has under consideration a judicial case, the question on appeal shall be taken without debate.—*B. D. ch. iv, par. xxii.*

§ 511. When a member considers himself aggrieved by a decision of the moderator and appeals, the question in this case must be taken without debate.—*G. A. Rule* 36.

§ 512. When the moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified, and the moderator shall recommence taking the vote.—*G. A. Rule* 26.

§ 513. A question of order arising while taking a vote as to the right or the duty of a member to vote, &c., the moderator must decide it peremptorily, subject to the revision and correction of the house afterward, if irregular.—*Jefferson.*

PART III.

Rights and Duties of Members of Courts.

§ 514. Every member of a judicatory, whether minister or elder, however hum-

ble he may be, has the same right with every other to submit his propositions to the body, to explain and recommend them in discussion, and to have them examined and deliberately decided upon.

§ 515. No speaker shall be interrupted unless he be out of order, or for the purpose of correcting mistakes or misrepresentations.—*G. A. Rule* 32.

§ 516. If any member consider himself aggrieved by a decision of the moderator, it shall be his privilege to appeal to the judicatory, and the question on the appeal shall be taken without debate.—*G. A. Rule* 36.

NOTE.—This rule has reference to a decision which affects the rights or privileges of a member, and not to a decision on questions of order.—(See § 509.)

Duties of Members.

§ 517. Members ought not, without weighty reasons, to decline voting, as this practice might leave the decision of very interesting questions to a small proportion

of the judicatory. Silent members, unless excused from voting, must be considered as acquiescing with the majority.—*G. A. Rule* 25.

§ 518. No member, in the course of debate, shall be allowed to indulge in personal reflections.—*G. A. Rule* 28.

§ 519. Every member, when speaking, shall address himself to the moderator, and shall treat his fellow members, and especially the moderator, with decorum and respect.—*G. A. Rule* 31.

§ 520. Without express permission, no member of a judicatory, while business is going on, shall engage in private conversation; nor shall members address one another, nor any person present, but through the moderator.—*G. A. Rule* 33.

§ 521. It is indispensable that members of ecclesiastical judicatories maintain great gravity and dignity while judicially convened; that they attend closely in their

speeches to the subject under consideration, and avoid prolix and desultory harangues; and when they deviate from the subject, it is the privilege of any member, and the duty of the moderator, to call them to order.—*G. A. Rule* 34.

§ 522. If any member act, in any respect, in a disorderly manner, it shall be the privilege of any member, and the duty of the moderator, to call him to order.—*G. A. Rule* 35.

§ 523. The consequences of a measure may be reprobated in strong terms, but to arraign the motives of those who propose or advocate it is a personality and against order.

§ 524. When more than three members of the judicatory shall be standing at the same time, the moderator shall require all to take their seats, the person only excepted who may be speaking.—*G. A. Rule* 30.

§ 525. No member shall retire from any

judicatory without the leave of the moderator, nor withdraw from it to return home without the consent of the judicatory.—*G. A. Rule* 37.

Committees.

§ 526. The moderator shall appoint all committees, except in those cases in which the judicatory shall decide otherwise.—*G. A. Rule* 7.

§ 527. The person first named on any committee shall be considered as the chairman thereof, whose duty it shall be to convene the committee; and, in case of his absence or inability to act, the second named member shall take his place and perform his duties.—*G. A. Rule* 9.

§ 528. The standing committees are usually announced by the moderator early in the second session, to continue through the sessions.

§ 529. It is sometimes necessary to appoint a special committee for a specific

purpose, and the judicatory may desire to select the committee. In this case the committee shall be selected by nomination and vote; the names of the members proposed are put to the question singly, and approved or rejected by the judicatory by a vote in the usual manner.

§ 530. The ruling elders must be represented in all committees.

§ 531. It is a general rule in legislative bodies, when a bill is to be referred, that none who speak directly against the body of it are to be of the committee, for the reason that he who would totally destroy will not amend; but that, for the opposite reason, those who only take exceptions to some particulars in the bill are to be of the committee. This rule supposes the purpose of the commitment to be, not the consideration of the general merits of the bill, but the amendment of it in its particular provisions, so as to make it acceptable to the assembly.

§ 532. It is usual in all deliberative assemblies to constitute the committee so that a majority are favorable to the measure proposed, the mover of the measure being, of course, put upon the committee, and usually as chairman.

§ 533. A committee can only act when regularly assembled together, and not by separate consultation and consent of the members.

§ 534. A minority of a committee may not agree with the majority, and they may present their views and conclusions in what is called a "minority report."

§ 535. A minority report is not recognized as a report of the committee, or acted upon as such; it is received by courtesy, and allowed to accompany the report, as representing the opinions of the minority, and in order to its being adopted by the assembly it must be moved as an amendment to the report, when that comes to be considered.

§ 536. A committee is not at liberty to sit when the judicatory is in session, without permission from the judicatory.

§ 537. If the report of a committee contain merely a statement of facts, reasoning, or opinion, the only motion necessary is to *accept;* but if it contain recommendations or resolutions, it is necessary to accept and *adopt.*

Interlocutory Meetings.

§ 538. Besides the right to sit judicially in private whenever they think proper to do so, all judicatories have a right to hold what are commonly called "interlocutory meetings," in which members may freely converse together, without the formalities which are usually necessary in judicial proceedings.—*G. A. Rule* 39.

§ 539. In order to enter upon an interlocutory meeting, it is necessary to make a motion for that purpose, which being carried in the affirmative, the subject for con-

sideration is freely discussed without any formality.

§ 540. An interlocutory meeting differs from a committee of the whole, in that the moderator may retain the chair, and no report of the proceedings is made to the judicatory in regular session.

§ 541. No note is to be taken by the clerk of the proceedings of an interlocutory meeting, as no business which properly belongs to the judicatory can be put in such meeting on its final passage.

§ 542. When an interlocutory meeting have gone through with the matter under consideration, a member moves that the meeting rise, which being resolved, the judicatory resumes business in the ordinary manner.

§ 543. All judicatories have the right to sit in private on business which in their judgment ought not to be matter of public speculation.—*G. A. Rule* 38.

PART IV.

Privileged Questions.

§ 544. It is a general rule, that the question first moved and seconded shall be first put. But this rule gives way to what may be called privileged questions, and the privileged questions are of different grades among themselves.

§ 545. The privileged questions are, motions *to adjourn*, for *orders of the day*, for the *previous question*, to *lay on the table*, to *postpone*, to *commit*, and to *amend*.

§ 546. When a question is under debate, no motion shall be received, unless to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order in which they are here arranged, and the motion for adjournment shall always be in order.—*G. A. Rule* 19.

Filling Blanks.

§ 547. It often happens that a proposition is introduced with *blanks*, purposely left by the mover or the committee reporting, to be filled by the judicatory.

§ 548. When various motions are made with respect to the filling of blanks, with particular numbers or times, the question shall always be first taken on the highest number and the longest time.—*G. A. Rule* 17.

§ 549. Propositions to fill blanks either with numbers or times are not considered as amendments, but as original motions, to be made and decided before the principal question.

Division of a Question.

§ 550. When a proposition or motion is composed of two or more parts, susceptible of division into several questions, and it is supposed that the judicatory may approve

of some but not of all these parts, it is proper to divide the motion or report into separate questions, to be voted upon separately.

§ 551. If a motion under debate contain several parts, any two members may have it divided, and a question taken on each part.—*G. A. Rule* 16.

§ 552. A proposition, in order to be divisible, must comprehend points so distinct and entire, that if one or more of them be taken away, the others may stand entire and by themselves.

Motion to Adjourn.

§ 553. A motion to adjourn simply takes precedence of all others; for otherwise the judicatory might be kept sitting against its will, and indefinitely.

§ 554. It is said that a motion to adjourn is always in order, but this is not strictly true, for—

(*a*) The motion to adjourn being neg-

atived, it cannot be moved again until some other business is proposed or transacted. The reason of this is, that until some other proceeding has intervened, the question already decided is the same as that newly moved.

(*b*). It cannot be received after another question is actually put, and while the judicatory is engaged in voting; because no member can obtain the floor to make any motion while a vote is being taken.

§ 555. The motion to adjourn does not admit of any amendment, by the addition of a particular day or in any other manner.

§ 556. A motion to adjourn is merely "that we do now adjourn;" and if it is carried in the affirmative the judicatory is adjourned to the next sitting day, unless it has previously come to a resolution that on rising it will adjourn to a particular day; in which case it is adjourned to that day.

Orders of the Day.

§ 557. Orders of the day take the place of all other questions, except for adjournment; that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice*. The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the orders of the day to be read, no further debate is permitted on the question which was before the house; for if the debate might proceed, it might continue through the day, and defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question "Whether the house will now proceed to the orders of the day?" they must be read and proceeded on in the course in which they stand. For priority of order gives priority of right, which cannot be taken away but by another special order.

§ 558. If the consideration of a subject is

assigned for a particular hour on the day named, a motion to proceed to it is not a privileged motion until the hour has arrived; but if no hour is fixed, the order is for the entire day and every part of it.

§ 559. Orders of the day, unless proceeded in and disposed of on the day assigned, fall, of course, and must be renewed for some other day.

The Previous Question.

§ 560. The original parliamentary use of the previous question was the suppression of a main question; but in this country it is used for the suppression of debate.

§ 561. When any question is before the judicatory, any member may move the previous question. If it pass in the affirmative, then the main question is to be put immediately, and no man may speak any further to it, either to add or alter.

§ 562. The previous question shall be put in this form, namely: "Shall the main

question be now put?'' It shall only be admitted when demanded by a majority of the members present; and the effect shall be to put an end to all debate, and bring the body to a direct vote: *First*, on a motion to commit the subject under consideration, (if such motion shall have been made;) *Secondly*, if the motion for commitment does not prevail, on pending amendments; and *lastly*, on the main question.—*G. A. Rule* 22.

§ 563. The operation of a negative decision is different in different assemblies; in some, as for example in the House of Representatives of Congress, it operates to dispose of the main question, by removing it from before the House for that day; but in our judicatories the effect is to leave the main question under debate for the residue of the sitting, unless sooner disposed of, by taking the question, or in some other way.

To Lay on the Table.

§ 564. A distinction shall be observed

between a motion to lay on the table for the present and a motion to lay on the table unconditionally, viz: a motion to lay on the table for the present shall be taken without debate, and if carried in the affirmative the effect shall be to place the subject on the docket, and it may be taken up and considered at any subsequent time. But a motion to lay on the table unconditionally shall be taken without debate; and if carried in the affirmative, it shall not be in order to take up the subject during the same meeting of the judicatory without a vote of reconsideration.—*G. A. Rule* 21.

§ 565. Any subject laid on the table *for the present* may afterward be taken up for consideration by a majority vote.

§ 566. When the motion to lay on the table prevails, the principal motion under consideration, together with all the other motions connected with it, is removed from before the judicatory.

§ 567. If decided in the negative, the business proceeds in the same manner as if the motion had not been made.

To Postpone.

§ 568. The motion to postpone is either indefinite or to a day certain, and in both these forms is susceptible of amendment.

§ 569. A motion for indefinite postponement may be amended to a day certain.

§ 570. A motion for a postponement to a day certain may be amended by the substitution of a different day.

§ 571. Amendment and postponement competing, postponement is first put. The reason is, that the question for amendment is not suppressed by postponing the main question, but remains before the house whenever the main question is resumed.

§ 572. A subject which has been indefinitely postponed, either by the operation

of the previous question or by a motion for indefinite postponement, shall not be again called up during the same sessions of the judicatory, unless by the consent of three-fourths of the members who were present at the decision.—*G. A. Rule* 24.

To Commit.

§ 573. A motion to commit or recommit may be amended, as by adding, for example, "with instructions," &c.

§ 574. If there is a standing committee of the judicatory whose functions embrace the subject in question, the motion should be to refer it to that committee; if there is no such committee, then the motion should be to refer to a select committee.

§ 575. The motion to commit stands in the same degree with the previous question and postponement, and if first made is not superseded by them, but it takes precedence of a motion to amend.

§ 576. On a motion to amend a question, any one may, notwithstanding, move to commit it, and the motion for commitment shall be first put.

To Amend.

§ 577. When a proposition consists of several sections, paragraphs, or resolutions, the natural order of considering and amending it is to begin at the beginning and to proceed through it in course by paragraphs. But if the proposition has a preamble, the preamble must be considered last. The reason is, that on the consideration of the body of a proposition such alterations may therein be made as may also occasion the alteration of the preamble.

§ 578. As an amendment must necessarily be put to the question before the principal motion, so the question must be put on an amendment to an amendment before it be put on the amendment.

§ 579. An amendment and also an

amendment to an amendment may be moved on any motion; but a motion to amend an amendment to an amendment shall not be in order. Action on amendments shall precede action on the original motion.—*G. A. Rule* 20.

§ 580. If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the judicatory; but not within the competence of the moderator to suppress, as if it were against order. For, were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress instead of subserving the will of the judicatory.

Amendments by Striking Out.

[Cushing gives the following rules concerning amendments, which are substantially the same as Jefferson's, though very much simplified:]

§ 581. If an amendment is proposed by striking out a particular paragraph or cer-

tain words, and the amendment is rejected, it cannot be again moved to strike out the same words or a part of them; but it may be moved to strike out the same words with others, or to strike out a part of the same words with others, provided the coherence to be struck out be so substantial as to make these, in fact, different propositions from the former. Thus, if a proposition consists of A B C D, and it is moved to strike out B C—if this amendment is rejected it cannot be moved again; but it may be moved to strike out A B, or A B C, or B C D, or C D.

§ 582. If an amendment by striking out is agreed to, it cannot be afterwards moved to insert the same words struck out or part of them; but it may be moved to insert the same words with others, or a part of the same words with others, provided the coherence to be inserted make these propositions substantially different from the first.

§ 583. Thus, if the proposition A B C D

is amended by striking out B C, it cannot be moved to insert B C again; but it may be moved to insert B C with other words, or B with others, or C with others.

§ 584. When it is proposed to amend by striking out a particular paragraph, it may be moved to amend this amendment in three different ways, namely: either by striking out a part only of the paragraph, or by inserting or adding words, or by striking out and inserting.

§ 585. Thus, if it is moved to amend the proposition A B C D by striking out B C, it may be moved to amend this amendment by striking out B only, or C only, or by inserting E, or by striking out B or C and inserting E.

§ 586. When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is, first to read the whole passage to be amended as it stands at present; then the

words proposed to be struck out; next those to be inserted; and lastly the whole passage, as it will be when amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If this be lost, it may be moved to insert others.—*Jefferson.*

Amendments by Inserting.

§ 587. If an amendment is proposed by inserting or adding a paragraph or words, and the amendment is rejected, it cannot be moved again to insert the same words or a part of them; but it may be moved to insert the same words with others, or a part of the same words with others, provided the coherence really make them different propositions.

§ 588. Thus, if it is moved to amend the proposition A B by inserting C D, and the amendment is rejected, C D cannot be again moved; but it may be moved to insert C E, or D E, or C D E.

§ 589. If it is proposed to amend by inserting a paragraph, and the amendment prevails, it cannot be afterwards moved to strike out the words or a part of them; but it may be moved to strike out the same words with others, or a part of the same words with others, provided the coherence be such as to make these propositions really different from the first. Thus, if in the example above supposed the amendment prevails and C D is inserted, it cannot be afterwards moved to strike out C D, but it may be moved to strike out A C, or A C D, or D B, or C D B.

§ 590. When it is proposed to amend by inserting a paragraph, this amendment may be amended in three different ways, namely: either by striking out a part of the paragraph; or by inserting something into it; or by striking out and inserting. Thus, if it be proposed to amend A B by inserting C D, this amendment may be amended either by striking out C or D, or inserting E, or by striking out C or D and inserting E.

Privileged Questions Conflicting.

§ 591. Suppose a motion for the previous question, for commitment, or for amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question: (1) It would be absurd to postpone the previous question, commitment, or amendment alone, and thus separate the appendage from its principal. (2) This is a piling of questions one on another. (3) The same result may be had more simply by voting against the previous question, commitment, or amendment.

§ 592. Suppose a commitment moved of a motion for the previous question, or to postpone, or amend. The 1st, 2d, and 3d reasons, just stated, all hold good against this.

§ 593. Suppose an amendment moved to a motion for the previous question: Answer, the previous question cannot be

amended. Parliamentary usage, as well as the 22d Rule of the Assembly, has fixed its form to be, Shall the main question be now put? *i. e.*, at this instant. And as the present instant is but one, it can admit of no modification. To change it to to-morrow or any other moment is without example.

PART V.

Question.

§ 594. When the debate on any question or motion appears to be brought to a close, the moderator then inquires, Are you ready for the question? and if no person rise, the question is then stated, and the votes of the judicatory taken upon it.

§ 595. The question being stated by the moderator, he first puts the affirmative, namely: *As many as are in favor, &c., say aye;* then the negative, *as many as are opposed, say no.*

§ 596. If the moderator is doubtful as to the result, he may put the question a second time; and if still unable to decide, or, if having decided according to his judgment, any member may call for a division.

§ 597. When a division is called for, the moderator shall put the question thus: *As many as are in favor, &c., will rise and stand till you are counted;* and the negative shall be taken in like manner.

§ 598. There is another mode of taking the question, viz, by *yeas* and *nays*. The object of this mode is to have every member's name recorded on the side on which he voted, as part of the history.

§ 599. The yeas and nays on any question shall not be recorded unless required by one-third of the members present.—*G. A. Rule* 27.

§ 600. The meaning of this rule is, that it requires one-third of the members pres-

ent to order the yeas and nays; not a vote of one-third to record them after they have been taken; for when ordered, they must be recorded, as a part of the history of the transaction.

§ 601. In order to take a question in this manner, the moderator puts the question thus: *As many as are in favor, &c., when your names are called will answer, yea; as many as are opposed will answer, nay.*

§ 602. The clerk immediately commences to call the roll, and notes the answers opposite each name. The names having been thus called, the clerk counts the numbers on each side, and reports them to the moderator, who declares the result to the judicatory.

Coexisting Questions.

§ 603. It may be asked whether the house can be in possession of two motions or propositions at the same time? so that, one of them being decided, the other goes

to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the house, and does not stand *ipso facto* before them at their next session, but must come forward in the usual way; so, when it is interrupted by the order of the day. Such other privileged questions (*e.g.*, the previous question, the postponement or commitment) remove it from before the house. But it is only suspended by a motion to amend, to withdraw, to read papers, or by the question of order or privilege, and stands again before the house when these are decided. None but the class of privileged questions can be brought forward while there is another question before the house; the rule being, that when a motion has been made and seconded, no other can be received except it be a privileged one.

Equivalent Questions.

§ 604. Where questions are perfectly

equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. Thus the negative of striking out amounts to the affirmative of agreeing; and, therefore, to put a question on agreeing after that on striking out, would be to put the same question, in effect, twice over.

Reconsideration.

§ 605. A question shall not be again called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of two-thirds of the members who were present at the decision, and unless the motion to reconsider be made and seconded by persons who voted with the majority.—*G. A. Rule* 23.

§ 606. If a motion to reconsider prevail, the question stands before the judicatory in precisely the same state and condition as if the vote reconsidered had never been

passed. Thus, if an amendment by inserting words is moved and rejected, the same amendment cannot be moved again; but the judicatory may reconsider the vote by which it was rejected, and then the question will recur on the amendment, as if the former vote had never been passed.

CHAPTER XXV.

BAPTISM OF INFANTS AND ADULTS.

§ 607. The following is the chapter in the Directory for Worship on the administration of baptism, viz:

Baptism is not to be unnecessarily delayed; nor to be administered, in any case, by any private person; but by a minister of Christ, called to be the steward of the mysteries of God.

It is usually to be administered in the church, in the presence of the congregation; and it is convenient that it be performed immediately after sermon.

After previous notice is given to the minister, the child to be baptized is to be presented by one or both the parents, signifying their desire that the child may be baptized.

Before baptism, let the minister use some words of instruction, respecting the institution, nature, use, and ends of this ordinance, showing, that it is instituted by Christ; that it is a seal of the righteousness of faith; that the seed of the faithful have no less right to this ordinance under the gospel, than the seed of Abraham to circumcision under the Old Testament; that Christ commanded all nations to be baptized; that he blessed little children, declaring that of such is the kingdom of

heaven; that children are federally holy, and therefore ought to be baptized; that we are by nature sinful, guilty, and polluted, and have need of cleansing by the blood of Christ, and by the sanctifying influences of the Spirit of God.

The minister is also to exhort the parents to the careful performance of their duty; requiring that they teach the child to read the word of God; that they instruct it in the principles of our holy religion, as contained in the Scriptures of the Old and New Testaments, an excellent summary of which we have in the Confession of Faith in this Church, and in the Larger and Shorter Catechisms of the Westminster Assembly, which are to be recommended to them, as adopted by this Church, for their direction and assistance in the discharge of this important duty; that they pray with and for it; that they set an example of piety and godliness before it; and endeavor, by all the means of God's appointment, to bring up their child in the nurture and admonition of the Lord.

Then the minister is to pray for a blessing to attend this ordinance; after which, calling the child by its name, he shall say, I baptize thee in the name of the Father, and the Son, and of the Holy Ghost. As he pronounces these words, he is to baptize the child with water, by pouring or sprinkling it on the face of the child, without adding any other ceremony; and the whole shall be concluded with prayer.

Although it is proper that baptism be administered in the presence of the congregation, yet there may be cases when it will be expedient to administer this ordi-

nance in private houses, of which the minister is to be the judge.

§ 608. The following form of baptism, abbreviated, is taken from the Common Prayer Book, as amended in 1661 by the Westminster divines:

[*Parents with their children in front of the altar.*]

Hear the words of the gospel written by St. Mark, in the tenth chapter, at the thirteenth verse:

"They brought young children to Christ, that he should touch them; and his disciples rebuked those that brought them. But when Jesus saw it, he was much displeased, and said unto them: Suffer the little children to come unto me, and forbid them not; for of such is the kingdom of God. Verily I say unto you, whosoever shall not receive the kingdom of God as a little child, he shall not enter therein. And he took them up in his arms, put his hands upon them, and blessed them."

Forasmuch as all men are conceived and born in sin, and our Saviour saith: "None can enter into the kingdom of God, except he be born anew of water and of the Holy Ghost;" I beseech you to call upon God the Father, through our Lord Jesus Christ, that of his bounteous mercy he will grant to *these children* that thing which by nature *they* cannot have; that *they* may be baptized with water and the Holy Ghost, and received into Christ's holy church, and become living *members* of the same.

Prayer.

Almighty and everlasting God, our heavenly Father, we give thee humble thanks that thou hast vouchsafed to call us to the knowledge of thy grace and faith in thee: increase this knowledge and confirm this faith in us evermore. Give thy Holy Spirit to *these infants*, that *they* may be born again, and be made *heirs* of everlasting salvation, through our Lord Jesus Christ, who liveth and reigneth with thee and the Holy Spirit now and forever: Amen.

Address to the Parents.

Dearly beloved, ye have brought *these children* here to be baptized; ye have prayed that our Lord Jesus Christ would vouchsafe to receive *them*, to release *them* from sin, to sanctify *them* with the Holy Ghost, to give *them* the kingdom of heaven and everlasting life. Our Lord Jesus Christ hath promised in his gospel to grant all these things that ye have prayed for, which promise he, for his part, will most surely keep and perform. Wherefore, after this promise made by Christ, ye must also faithfully, for your part, in the presence of this congregation, promise and answer to these questions:

Minister. Will you have this child baptized in the faith of this church?

Answer. That is my desire.

Min. Will you then teach this child the word of God as contained in the Scriptures of the Old and New Testaments? and will you pray with and for *him*, set a godly example before *him*, and endeavor by all the means of

God's appointment to bring up this child in the nurture and admonition of the Lord?

Ans. I will by God's help.

Then, receiving the name, he will say—

I baptize thee, N——, in the name of the Father, and of the Son, and of the Holy Ghost: Amen.

Then the minister may say—

We receive this child into the congregation of Christ's flock, among his chosen followers, in token that hereafter *he* shall not be ashamed to confess the faith of Christ crucified, and manfully to fight under his banner, and continue Christ's faithful soldier and servant unto *his* life's end: Amen.

And this—

Forasmuch as *these children* have been brought into the bosom of the visible church, to be nourished and trained as *children* of God and *heirs* of the kingdom of heaven, ye must remember that it is your parts and duties to see that *they* be taught, so soon as *they* be able to learn, what a solemn duty and privilege are *theirs* by virtue of this sacrament, that when they come to the use of reason *they* may not fall into ingratitude and lose the grace of their baptism, but continue as living members of the body of Christ. And that they may know these things the better, ye shall call upon them to hear sermons; and chiefly ye shall provide that they may have the Holy Scriptures, learn the Catechism, and all other things which a christian ought to know and believe to his soul's health; and that *these children*

may be virtuously brought up to lead a godly and a christian life, remembering always that baptism doth represent unto us our profession, which is to follow the example of our Saviour Christ, and to be made like unto him; that as he died, and rose again for us, so should we who are baptized die from sin and rise again unto righteousness, continually mortifying all our evil and corrupt affections, and daily proceeding in all virtue and godliness of living.

Then shall follow a prayer for the parents and children, that they may have grace and help from on high to perform their obligations.

§ 609. Baptism of adults.

[*The candidate standing in front of the altar.*]

Hear the words of the gospel written by St. John, in the third chapter, beginning at the first verse:

"There was a man of the Pharisees named Nicodemus, a ruler of the Jews. The same came to Jesus by night, and said unto him, Rabbi, we know that thou art a teacher come from God; for no man can do these miracles that thou doest, except God be with him. Jesus answered and said unto him, verily, verily, I say unto thee, except a man be born again he cannot see the kingdom of God. Nicodemus saith unto him, how can a man be born when he is old? Can he enter the second time into his mother's womb and be born? Jesus answered, verily, verily, I say unto thee, except a man be born of water and of the Spirit he cannot enter into the kingdom of God. That which is born of the flesh is

flesh, and that which is born of the Spirit is spirit. Marvel not that I say unto thee, ye must be born again. The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh and whither it goeth; so is every one that is born of the Spirit."

Prayer.

Almighty and immortal God, the aid of all who need, the helper of all who flee to thee for succor, the life of those who believe, and the resurrection of the dead; we call upon thee for *these persons*, that *they*, coming to thy holy baptism, may be cleansed from their sins and enter into the blessed company of thy faithful children. Receive *them*, O Lord, as thou hast promised by thy well-beloved Son, saying, Ask, and ye shall receive; seek, and ye shall find; knock, and it shall be opened unto you. So give now unto us who ask; let us who seek find; open the gate unto us who knock, that *these persons* may enjoy the everlasting benediction of the heavenly washing, and may come to the eternal kingdom which thou hast promised by Christ our Lord: Amen.

Address to the Candidates.

Well-beloved, who are come hither desiring to be baptized, *ye* have heard how the congregation hath prayed, that our Lord Jesus Christ would vouchsafe to receive you and bless you, to release you of your sins, to give you the kingdom of heaven and everlasting life. *Ye* have heard also that our Lord Jesus Christ hath promised in his holy word to grant all those things

that we have prayed for, which promise he, for his part, will most surely keep and perform.

Wherefore, after this promise made by Christ, *ye* must also faithfully, for your part, in the presence of this whole congregation, promise and answer to the following questions:

Question. Dost thou renounce the devil and all his works, the vain pomp and glory of the world, with all covetous desires of the same, and the sinful desires of the flesh, so that thou wilt not follow nor be led by them?

Answer. I renounce them all; and, by God's help, will endeavor not to follow nor be led by them.

Q. Dost thou believe all the articles of the christian faith as held by this church?

A. I do believe.

Q. Wilt thou be baptized in this faith?

A. That is my desire.

Q. Wilt thou then obediently keep God's holy will and commandments, and walk in the same all the days of thy life?

A. I will, by God's help.

Then the person to be baptized shall kneel, and the minister, calling him by name, will pour or sprinkle water on his head, saying:

I baptize thee, N——, in the name of the Father, and of the Son, and of the Holy Ghost: Amen.

Minister. We receive this person into the congregation of Christ's flock as his chosen follower; and in pledge that hereafter *he* shall not be ashamed to confess the faith of Christ crucified, and manfully to fight

under his banner; and to continue Christ's faithful soldier and servant unto *his* life's end: Amen.

Minister. [*The congregation standing up.*] Forasmuch as *these persons* have promised in your presence to renounce the devil and all his works, to believe in God, and to serve him, ye must remember that it is your part and duty to receive them as members of Christ, with kindly affection and brotherly love, and to walk with them in charity, knowing that whatsoever ye do unto the least of Christ's brethren, even that ye do unto him. And so shall both they and ye together grow in grace and in the knowledge of our Lord Jesus Christ, and live godly, righteously, and soberly in this present world: Amen.

Minister. [*To the baptized.*] And as for you, who have now by baptism put on Christ, it is your part and duty also, being made the *children* of God and of the light by faith in Jesus Christ, to walk answerably to your christian calling, and as becometh the children of light; remembering always that baptism representeth unto us our profession; which is, to follow the example of our Saviour Christ, and to be made like unto him; that as he died and rose again for us, so should we, who are baptized, die from sin and rise again unto righteousness; continually mortifying all our evil and corrupt affections, and daily proceeding in all virtue and godliness of living.

Then shall the minister offer prayer for grace and help from on high for the newly baptized, that they may be enabled to keep their vows, and be useful members of the church.

CHAPTER XXVI.

ADMINISTRATION OF THE LORD'S SUPPER.

§ 610. The following is chapter VIII in the Directory for Worship:

The communion, or supper of the Lord, is to be celebrated frequently; but how often may be determined by the minister and eldership of each congregation, as they may judge most for edification.

The ignorant and scandalous are not to be admitted to the Lord's supper.

It is proper that public notice should be given to the congregation at least the Sabbath before the administration of this ordinance, and that either then or on some other day of the week the people be instructed in its nature and a due preparation for it, that all may come in a suitable manner to this holy feast.

When the sermon is ended, the minister shall show that this is an ordinance of Christ, by reading the words of instruction either from one of the Evangelists or from I Cor., xi chapter, which, as to him may appear expedient, he may explain and apply; that it is to be observed in remembrance of Christ, to show forth his death till he come; that it is of inestimable benefit, to strengthen his people against sin, to support them under troubles, to encourage and quicken them in duty,

to inspire them with love and zeal, to increase their faith and holy resolution, and to beget peace of conscience and comfortable hopes of eternal life.

He is to warn the profane, the ignorant, and scandalous, and those that secretly indulge themselves in any known sin, not to approach the holy table. On the other hand, he shall invite to this table such as, sensible of their lost and helpless state by sin, depend upon the atonement of Christ for pardon and acceptance with God; such as, being instructed in the gospel doctrine, have a competent knowledge to discern the Lord's body, and such as desire to renounce their sins and are determined to lead a holy and godly life.

The table on which the elements are placed being decently covered, the bread in convenient dishes, and the wine in cups, and the communicants orderly and gravely sitting around the table, [*or in their seats before it,*] in the presence of the minister, let him set the elements apart by prayer and thanksgiving.

The bread and wine being thus set apart by prayer and thanksgiving, the minister is to take the bread, and break it in the view of the people, saying, in expressions of this sort:

Our Lord Jesus Christ, on the same night in which he was betrayed, having taken bread, and blessed, and broken it, gave it to his disciples; as I, ministering in his name, give this bread unto you, saying, [*here the bread is to be distributed,*] take, eat; this is my body, which is broken for you; this do in remembrance of me. After having given the bread, he shall take the cup and say:

After the same manner our Saviour also took the cup, and having given thanks, as hath been done in his name, he gave it to the disciples, saying,—[*while the minister is repeating these words let him give the cup,*] This cup is the New Testament in my blood, which is shed for many, for the remission of sins; drink ye all of it.

The minister himself is to communicate at such time as may appear to him most convenient. The minister may in a few words put the communicants in mind—

Of the grace of God in Jesus Christ held forth in this sacrament, and of their obligation to be the Lord's, and may exhort them to walk worthy of the vocation wherewith they are called; and, as they have professedly received Christ Jesus the Lord, that they may be careful so to walk in him, and to maintain good works.

It may not be improper for the minister to give a word of exhortation also to those who have been only spectators, reminding them—

Of their duty; stating their sin and danger by living in disobedience to Christ, in neglecting this holy ordinance, and calling upon them to be earnest in making preparation for attending upon it at the next time of its celebration.

Then the minister is to pray and give thanks to God—

For his rich mercy and invaluable goodness vouchsafed to them in that sacred communion; to implore pardon for the defects of the whole service; and to pray for the acceptance of their persons and performances; for the gracious assistance of the Holy Spirit, to enable

them, as they have received Christ Jesus the Lord, so to walk in him that they may hold fast that which they have received, that no man take their crown; that their conversation may be as becometh the gospel; that they may bear about with them continually the dying of the Lord Jesus; that the life also of Jesus may be manifested in their mortal body; that their light may so shine before men, that others, seeing their good works, may glorify their Father who is in heaven.

The collection for the poor and to defray the expenses of the elements may be made after this, or at such other time as may seem meet to the eldership.

Now let a psalm or hymn be sung, and the congregation dismissed, with the following or some other gospel benediction:

Now, the God of peace, that brought again from the dead our Lord Jesus, that great shepherd of the sheep, through the blood of the everlasting covenant, make you perfect in every good work to do his will, working in you that which is well pleasing in his sight, through Jesus Christ; to whom be glory for ever and ever: Amen.

As it has been customary in some parts of our church to observe a fast before the Lord's supper, to have a sermon on Saturday and Monday, and to invite two or three ministers on such occasions; and as these seasons have been blessed to many souls, and may tend to keep up a stricter union of ministers and congregations, we think it not improper that they who choose it may continue in this practice.

§ 611. The following is Chapter IX of the Directory for Worship:

Children born within the pale of the visible church, and dedicated to God in baptism, are under the inspection and government of the church, and are to be taught to read and repeat the catechism, the apostles' creed, and the Lord's prayer. They are to be taught to pray, to abhor sin, to fear God, and to obey the Lord Jesus Christ. And when they come to years of discretion, if they be free from scandal, appear sober and steady, and to have sufficient knowledge to discern the Lord's body, they ought to be informed it is their duty and their privilege to come to the Lord's supper.

The years of discretion in young christians cannot be precisely fixed. This must be left to the prudence of the eldership. The officers of the church are the judges of the qualifications of those to be admitted to sealing ordinances, and of the time when it is proper to admit young christians to them. Those who are to be admitted to sealing ordinances shall be examined as to their knowledge and piety.

When unbaptized persons apply for admission into the church, they shall, in ordinary cases, after giving satisfaction with respect to their knowledge and piety, make a public profession of their faith in the presence of the congregation, and thereupon be baptized.

§ 612. Form of admission to the Lord's supper of children baptized and come to

years of discretion, abbreviated from the Book of Common Prayer, as amended in 1661 by the Westminster divines:

[*The candidates standing in front of the altar.*]

The Pastor. Let us pray.

Almighty and everlasting God, who hast vouchsafed to receive these thy servants into thy visible church, and hast made them partakers of thy covenant, strengthen them, we beseech thee, O Lord, with the Holy Ghost, the Comforter, and daily increase in them thy manifold gifts of grace: the spirit of wisdom and understanding; the spirit of counsel and heavenly strength; the spirit of knowledge and true godliness; and fill them, O Lord, with the spirit of thy holy fear, now and forever: Amen.

Pastor. Do you here, in the presence of God and of this congregation, adopt and confess that christian faith wherein ye were baptized?

Candidate. I do.

Past. Do ye forsake the devil and all his works, the vain pomp and glory of the world, with all covetous desires of the same, and the sinful desires of the flesh, so that ye will not follow nor be led by them?

Cand. I forsake them all, and by God's help will endeavor not to follow them nor to be led by them.

Past. Will ye then obediently keep God's holy will and commandments, and walk in the same all the days of your life?

Cand. I will, God being my helper.

Past. Defend, O Lord, this thy child [or *these thy servants*] with thy heavenly grace, that *he* may continue thine forever, and daily increase in thy Holy Spirit more and more, until *he* come unto thy everlasting kingdom: Amen.

After which they should take their places among the communicants.

§ 613. There should always be a distinction observed in the mode of receiving baptized children and others from the world into the full privileges of the church. (For form of receiving other than the church's baptized children, see Appendix.)

CHAPTER XXVII.

SOLEMNIZATION OF MARRIAGE.

§ 614. The following is Chapter XI of the Directory for Worship:

Marriage is not a sacrament, nor peculiar to the church of Christ. It is proper that every commonwealth, for the good of society, make laws to regulate marriage, which all citizens are bound to obey.

Christians ought to marry in the Lord; therefore it is fit that their marriage be solemnized by a lawful minister, that special instruction may be given them, and suitable prayers made, when they enter into this relation.

Marriage is to be between one man and one woman only; and they are not to be within the degrees of consanguinity or affinity prohibited by the word of God.

The parties ought to be of such years of discretion as to be capable of making their own choice; and if they be under age, or live with their parents, the consent of the parents or others, under whose care they are, ought to be previously obtained and well certified to the minister, before he proceeds to solemnize the marriage.

Parents ought neither to compel their children to marry contrary to their inclinations, nor deny their consent without just and important reasons.

Marriage is of a public nature. The welfare of civil society, the happiness of families, and the credit of religion, are deeply interested in it. Therefore the purpose of marriage ought to be sufficiently published a proper time previously to the solemnization of it. It is enjoined on all ministers to be careful that in this matter they neither transgress the laws of God nor the laws of the community; and, that they may not destroy the peace and comfort of families, they must be properly certified with respect to the parties applying to them, that no just objections lie against their marriage.

Marriage must always be performed before a competent number of witnesses, and at any time except on a day of public humiliation. And we advise that it be not on the Lord's day. And the minister is to give a certificate of the marriage when required.

When the parties present themselves for marriage, the minister is to desire, if there is any person present who knows any lawful reason why these parties may not be joined together in the marriage relation, that they will now make it known, or ever after hold their peace.

No objections being made, he is then severally to address himself to the parties to be married in the following or like words:

You [*the man*] declare in the presence of God, that you do not know any reason, by precontract or otherwise, why you may not lawfully marry this woman.

Upon his declaring he does not, the minister shall address himself to the bride in the same or similar terms:

You [*the woman*] declare in the presence of God, that you do not know any reason, by precontract or otherwise, why you may not lawfully marry this man.

Upon her declaring she does not, he is to begin with prayer for the presence and blessing of God.

The minister shall then proceed to give them some instruction from the Scriptures respecting the institution and duties of this state, showing that God hath instituted marriage for the comfort and happiness of mankind, in declaring a man shall forsake his father and mother and cleave unto his wife; and that marriage is honorable in all; that he hath appointed various duties which are incumbent upon those who enter into this relation: such as a high esteem and mutual love for one another; bearing with each other's infirmities and weaknesses, to which human nature is subject in its present lapsed state; to encourage each other under the various ills of life; to comfort one another in sickness; in honesty and industry to provide for each other's temporal support; to pray for and encourage one another in the things which pertain to God and to their immortal souls; and to live together as the heirs of the grace of life.

Then the minister shall cause the bridegroom and bride to join their hands, and shall pronounce the marriage covenant, first to the man, in these words:

You take this woman, whom you hold by the hand, to be your lawful and married wife; and you promise and covenant, in the presence of God and these witnesses, that you will be unto her a loving and faithful husband, until you shall be separated by death?

The bridegroom shall express his consent by saying—

Yes, I do.

Then the minister shall address himself to the woman in these words:

You take this man, whom you hold by the hand, to be your lawful and married husband; and you promise and covenant, in the presence of God and these witnesses, that you will be unto him a loving, faithful, and obedient wife, until you shall be separated by death?

The bride shall express her consent by saying—

Yes, I do.

Then the minister is to say—

I pronounce you husband and wife, according to the ordinance of God: whom therefore God hath joined together let no man put asunder.

After this the minister may exhort them in a few words to the mutual discharge of their duty.

Then let him conclude with prayer suitable to the occasion.

Let the minister keep a proper register for the names of all persons whom he marries, and of the time of their marriage, for the perusal of all whom it may concern.

§ 615. The following is a form of solemnizing marriage, abbreviated from the Book of Common Prayer, as amended in 1661 by the Westminster divines:

Dearly beloved, we are gathered together here, in the sight of God and in the face of this company, to join together this man and this woman in matrimony; which is an honorable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his church; which excellent estate Christ adorned and beautified with his presence and first miracle that he wrought in Cana of Galilee; and is commended of St. Paul to be honorable among all men; and therefore is not by any to be entered into unadvisedly or lightly, but reverently, discreetly, soberly, and in the fear of God, duly considering the causes for which matrimony was ordained. Into this holy estate these two persons present come now to be joined. Therefore, if any man can show any just cause why they may not lawfully be joined together, let him now speak, or else hereafter forever hold his peace.

I require and charge you both, as ye will answer at the dreadful day of judgment, when the secrets of all hearts shall be disclosed, that if either of you know any impediment, why ye may not be lawfully joined together in matrimony, ye do now confess it. For be ye well assured, that so many as are coupled together otherwise than as God's word doth allow, are not joined together by God, neither is their matrimony lawful.

M ——, wilt thou have this woman to thy wedded wife, to live together, after God's ordinance, in the blessed estate of matrimony? Wilt thou love her, comfort her, honor and keep her in sickness and in

health; and, forsaking all others, keep thee only unto her, so long as ye both shall live?

Answer. I will.

N ——, wilt thou have this man to thy wedded husband, to live together, after God's ordinance, in the blessed estate of matrimony? Wilt thou obey him, love, honor, and keep him in sickness and in health; and, forsaking all others, keep thee only unto him, so long as ye both shall live?

Answer. I will.

If they desire to pass a ring, the minister, here taking the ring, may deliver it to the man, to put it upon the fourth finger of the woman's left hand. And the man, holding the ring there and taught by the minister, may say:

With this ring I thee wed, and with all my worldly goods I thee endow: In the name of the Father, and of the Son, and of the Holy Ghost: Amen.

Or the following form:

Groom. With this ring I thee wed, and to thee plight my troth.

Bride. And I to thee.

Then will the minister join their right hands together and say:

Minister. Those whom God hath joined together let no man put asunder.

Forasmuch as M—— and N—— have consented together in holy wedlock, and have witnessed the same

before God and this company, and thereto have given and pledged their troth each to the other, and have declared the same by [*giving and receiving a ring and*] joining hands, I pronounce that they are man and wife: In the name of the Father, and of the Son, and of the Holy Ghost: Amen.

The minister will add this blessing:

God the Father, God the Son, God the Holy Ghost, bless, preserve, and keep you; the Lord mercifully with his favor look upon you, and fill you with all spiritual benediction and grace; that ye may so live together in this life, that in the world to come ye may have life everlasting: Amen.

The grace of our Lord Jesus Christ, the love of God, and the communion of the Holy Ghost, be with you all: Amen.

CHAPTER XXVIII.

BURIAL OF THE DEAD.

§ 616. The following is Chapter XIII of the Directory for Worship:

When any person departs this life, let the corpse be taken care of in a decent manner, and be kept a proper and sufficient time before interment.

When the season for the funeral comes, let the dead body be decently attended to the grave and interred. During such solemn occasions, let all who attend conduct themselves with becoming gravity, and apply themselves to serious meditation or discourse; and the minister, if present, may exhort them to consider the frailty of life, and the importance of being prepared for death and eternity.

§ 617. The following form, abbreviated, is from the Book of Common Prayer, as amended in 1661 by the Westminster divines:

Scripture Readings.

"Lord, make me to know mine end, and the measure of my days, what it is; that I may know how frail I am. For I know that thou wilt bring me to death and to the house appointed for all living.

"There is hope of a tree, if it be cut down, that it will sprout again, and that the tender branch thereof will not cease. Though the root thereof wax old in the earth, and the stock thereof die in the ground; yet through the scent of water it will bud, and bring forth boughs like a plant. But man dieth, and wasteth away: yea, man giveth up the ghost, and where is he? As the waters fail from the sea, and the flood decayeth and drieth up: so man lieth down, and riseth not: till the heavens be no more, they shall not awake, nor be raised out of their sleep.

"If a man die, shall he live again?

"Jesus said unto Martha, I am the resurrection and the life: he that believeth in me, though he were dead, yet shall he live. And whosoever liveth and believeth in me shall never die.

"The righteous hath hope in his death. Let me die the death of the righteous, and let my last end be like his. Precious in the sight of the Lord is the death of his saints: the day of their death is better than that of their birth. For we know that if our earthly house of this tabernacle be dissolved, we have a building of God, a house not made with hands, eternal in the heavens. There the wicked cease from troubling and the weary are at rest. And they shall hunger no more, neither thirst any more, neither shall the sun light on them, nor any heat. And there shall be no more death, neither sorrow, nor crying; neither shall there be any more pain; for the former things are passed away. And God shall wipe away all tears from their eyes."

Scriptures for the Consolation of the Bereaved.

"Thou shalt forget thy misery, and remember it as waters that pass away. Weeping may endure for a night, but joy cometh in the morning. Cast thy burden upon the Lord, and he shall sustain thee. He hath not despised nor abhorred the affliction of the afflicted; neither hath he hid his face from him, but when he cried unto him he heard. Though he cause grief, yet will he have compassion according to the multitude of his mercies. For he doth not afflict willingly, nor grieve the children of men.

"If ye endure chastening, God dealeth with you as with sons; for what son is he whom the father chasteneth not? My son, despise not thou the chastening of the Lord, nor faint when thou art rebuked of him; for whom the Lord loveth he chasteneth, and scourgeth every son whom he receiveth. And thou shalt remember all the way which the Lord thy God led thee, to humble thee, and to prove thee, to know what was in thy heart, whether thou wouldst keep his commandments or no; that the trial of your faith, being much more precious than of gold that perisheth, though it be tried with fire, might be found unto praise, and honor, and glory, at the appearing of Jesus Christ.

"God hath comforted his people, and will have mercy upon his afflicted. Blessed be God, even the Father of our Lord Jesus Christ, the Father of mercies and the God of all comfort, who comforteth us in all our tribulation, that we may be able to comfort them which are in any trouble, by the comfort wherewith we ourselves are comforted of God. He shall deliver thee in six trou-

bles, yea, in seven there shall no evil touch thee. Wait on the Lord: be of good courage, and he shall strengthen thy heart: wait, I say, on the Lord.

"Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions. If it were not so, I would have told you. I go to prepare a place for you, that where I am there ye may be also.

"But I would not have you to be ignorant, brethren, concerning them which are asleep, that ye sorrow not even as others which have no hope. For if we believe that Jesus died and rose again, even so them also which sleep in Jesus will God bring with him."

At the Funeral of a Child.

"And David said, while the child was yet alive I fasted and wept: for I said, who can tell whether God will be gracious to me, that the child may live? But now he is dead, wherefore should I fast? Can I bring him back again? I shall go to him, but he shall not return to me.

"But Jesus said, suffer little children, and forbid them not, to come unto me, for of such is the kingdom of heaven. It is not the will of your Father which is in heaven that one of these little ones should perish. For I say unto you that in heaven their angels do always behold the face of my Father which is in heaven.

"O Lord, our Lord, how excellent is thy name in all the earth. Out of the mouth of babes and sucklings thou hast perfected praise. I thank thee, O Father, Lord of heaven and earth, because thou hast hid these

things from the wise and the prudent, and hast revealed them unto babes. Even so, Father, for so it seemed good in thy sight.

"The Lord gave, and the Lord hath taken away: blessed be the name of the Lord."

After the exhortation or address the following prayers, or a portion of them, may be offered:

Prayer for Resignation.

O Lord God, our heavenly Father, who alone art the author and the disposer of our life, from whom our spirits have come, and to whom they shall return: we acknowledge thy sovereign power and right both to give and to take away, as seemeth good in thy sight; and we most humbly beseech thee, that unto all thy righteous dealings we may yield ourselves with due resignation and patience; being assured that though we understand not the mystery of thy ways, yet always in faithfulness, O Lord, dost thou afflict us, and for thy mercy's sake, through Jesus Christ our Lord: Amen.

For Bereaved Friends.

Almighty and most merciful God, the consolation of the sorrowful, and the support of the weary, who dost not willingly grieve or afflict the children of men, look down in tender love and pity, we beseech thee, upon thy bereaved servants, whose joy is turned into mourning, and according to the multitude of thy mercies be pleased to uphold, strengthen, and comfort them, that they may not faint under thy fatherly chastening; but find in thee their strength and refuge, through Jesus Christ our Lord: Amen.

For Bereaved Children.

Defend, O Lord, *these* bereaved *children* with thy heavenly grace. Let thy fatherly hand ever be over *them;* let thy Holy Spirit ever be with *them;* and so lead *them* in the knowledge and obedience of thy word, that daily *they* may increase in thy holy spirit more and more, and in the end obtain everlasting life, through Jesus Christ our Lord: Amen.

For Bereaved Parents.

O Almighty God, who out of the mouth of babes and sucklings hast ordained strength, and makest even infants to glorify thee by their deaths; comfort these bereaved parents, we beseech thee with thy love and favor, and strengthen them by thy grace, that with submission, faith, and thankful hope, they may yield their offspring to thee, through our Saviour and Lord Jesus Christ: Amen.

For the Right Use of Affliction.

O God, whose days are without end, and whose mercies cannot be numbered, make us, we beseech thee, deeply sensible of the shortness and uncertainty of human life; and let thy Holy Spirit lead us through this vale of misery in holiness and righteousness all the days of our lives, that when we shall have served thee in our generation we may be gathered unto our fathers, having the testimony of a good conscience, in the communion of thy church, in the confidence of a certain faith, in the comfort of a reasonable, religious, and holy hope, in favor with thee, our God, and in perfect

charity with the world. All which we ask through Jesus Christ our Lord: Amen.

The following services are to be rendered at the grave:

"I am the resurrection and the life, saith the Lord. He that believeth in me, though he were dead, yet shall he live; and whosoever liveth and believeth in me shall never die.

"I know that my Redeemer liveth, and that he shall stand at the latter day upon the earth. And though after my skin worms destroy this body, yet in my flesh shall I see God, whom I shall see for myself, and mine eyes shall behold, and not another."

Forasmuch as it hath pleased Almighty God to take out of this world the soul of his servant departed, we therefore commit *his* body to the ground: earth to earth, ashes to ashes, dust to dust; looking for the general resurrection in the last day, and the life of the world to come, through our Lord Jesus Christ, at whose second coming in glorious majesty to judge the world the earth and the sea shall give up their dead, and the corruptible bodies of those who sleep in him shall be changed and made like unto his own glorious body, according to the mighty working whereby he is able to subdue all things unto himself.

"I heard a voice from heaven, saying unto me, Write, Blessed are the dead which die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labors; and their works do follow them."

Prayer.

O merciful God, the Father of our Lord Jesus Christ,

who is the resurrection and the life; in whom whosoever believeth shall live, though he die; and whosoever liveth and believeth in him shall not die eternally; who also hath taught us, by his holy Apostle St. Paul, not to be sorry, as men without hope, for those who sleep in him; we humbly beseech thee, O Father, to raise us from the death of sin unto the life of righteousness; that when we shall depart this life, we may rest in him; and that at the general resurrection in the last day we may be found acceptable in thy sight, and receive that blessing which thy well-beloved Son shall then pronounce to all who love and fear thee, saying, Come, ye blessed children of my Father, receive the kingdom prepared for you from the beginning of the world. Grant this, we beseech thee, O merciful Father, through Jesus Christ our Mediator and Redeemer: Amen.

The grace of our Lord Jesus Christ, and the love of God, and the communion of the Holy Ghost, be with us all evermore: Amen.

CHAPTER XXIX.

MISCELLANEOUS.

§ 618. The aim of the Sustentation Scheme is to make the *minimum* of salary in the full pastoral charges $1,000 *per annum*.

§ 619. Only those churches shall be, at present, entitled to aid from the Sustentation Fund who are paying the pastor an average of $7.30 per annum for each member.

§ 620. The various Boards of the Church have prepared blank forms for application to them for aid. To these forms they strictly adhere.

§ 621. In the statistical report to Presbytery the church Session will include under—

(*a*) *Home Missions*, all moneys collected for the purpose, whether for the board

or for any home missionary operation, including mission schools, carried on in connection with the Presbyterian Church.

(*b*) *Foreign Missions*, all contributions for the spread of the gospel in foreign lands.

(*c*) *Education*, all that is given for the education of candidates for the ministry, whether to the Board or otherwise; for theological seminaries, Presbyterian colleges, academies, and parochial schools.

(*d*) *Publication*, all moneys contributed to the Board, and for synodical and presbyterial depositories and colportage.

(*e*) *Church Erection*, all contributions for church erection, *outside of the congregation*, whether through the Board or otherwise.

(*f*) *Relief Fund*, all moneys contributed for the support of disabled ministers and to aid the families of deceased ministers.

(*g*) *Freedmen*, all moneys contributed

to the evangelization and education of freedmen, whether through the Board or otherwise.

(*h*) *Commissioners' Fund*, as at present.

(*i*) The *Minister's Salary*.

(*k*) *Congregational*, all moneys contributed for the congregation, (excepting the minister's salary,) the support of the parish Sunday schools, the relief of the poor of the congregation, building and repairing churches, liquidation of debts, and current expenses.

(*l*) *Miscellaneous*, all other collections for bible and tract societies, etc., and for general benevolence.—*M. G. A.* 1871, *p.* 589.

§ 622. Subjects of exegesis for candidates on trial for ordination: De regimine ecclesiæ. An fides sola justificet? An Christus pro omnibus et singulis sit mortuus? De sanctorum perseverantia. De necessitate specialis spiritus sancti operationis ad conversionem. De materia justi-

ficationis. An fœdus circumcisione signatum, a fœdere evangelico essentialiter differat? De libero arbitrio. An justificatio nostra sit ab æterno, aut in tempore præstita? An lex naturæ sit sufficiens ad salutem? De Christi divinitate. De justificatione fidei. An dies sabbatica Christi ecclesia tenenda est? De peccato originale. Quo sensu bona opera ad salutem necessaria? Quid est pœnitentia? Quæ sunt causa efficiens et objectus fidei?

§ 623. The maximum paid by the Board of Education to students is, to each theological student under its care, $200 per annum; to each collegiate student, $160; to each academical student, $120.—*M. G. A.* 1862, *p.* 19.

§ 624. The Board of Education will receive no candidate under its care for the ministry until he has been a member of the church at least one year, and has also passed his classical studies for an academic year, except in extraordinary cases, to be determined by the board.—*M. G. A.* 1872, *p.* 19.

§ 625. The official records of the two branches of the church are regarded as making up the one history of the church during the period of their separation, but no rule or precedent not sanctioned or approved by both branches or by the reunited church shall be of any authority, save in so far as it may affect the rights of property founded thereon.—*History Reunion, p.* 312.

§ 626. The only scriptural and lawful grounds of divorce recognized in the church are adultery and willful and obstinate desertion.—*C. F. ch. xxiv, par. vi.*

§ 627. A person divorced on either of the aforesaid grounds, where the proceeding has been conducted in a cautious, serious, and lawful manner, may be again married, without incurring the censure of the church or forfeiting any privilege in the same to which he may be otherwise entitled.—*M. G. A.* 1790, *p.* 28; *M. N. S. G. A.* 1858, *p.* 599, 600.

§ 628. Decisions of the Assemblies on the elder question:

A congregation cannot form rules which would make it lawful for any Elder to lay aside his office. The mode of electing elders for a term of years is irregular and ought in future to be abandoned, but cannot invalidate the ordination of persons thus elected and ordained to the office of ruling elder.—*G. A.* 1835, *p.* 471.

The most obvious and natural construction of our form of government does not contemplate a rotatory eldership; and while such an organization of a Session is not *anti-presbyterial*, yet the Assembly would discourage the adoption of the principle in our Church, from respect to the plain meaning of our rule; but nothing in this resolution is intended to disturb the relations of those churches which have adopted the principle of a limited period in the service of elders.—*N. S. G. A.* 1862, *p.* 34.

Judicial Case No. 1.—The case seemed to present, in judicial form, the question of the interpretation of our Constitution concerning the election of elders and deacons; and yet many of the Assembly do not regard it as really involving that question. Hence, in defining its own action, the Assembly is not to be understood as deciding that, in any case, the actual service of the eldership should be either permanent or limited; but, while the office is perpetual, the time of its exercise in each individual congregation may be left to the decision of the church itself, according to the mode approved of and in use in such church.—*G. A.* 1872, *p.* 75.

APPENDIX.

A.

GENERAL RULES FOR JUDICATORIES.

The following are the Rules of the General Assembly, as amended in 1871:

I. The moderator shall take the chair precisely at the hour to which the judicatory stands adjourned; and shall immediately call the members to order; and on the appearance of a quorum, shall open the session with prayer.

II. If a quorum be assembled at the hour appointed, and the moderator be absent, the last moderator present, or if there be none the senior member present, shall be requested to take his place without delay until a new election.

III. If a quorum be not assembled at the hour appointed, any two members shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble.

IV. It shall be the duty of the moderator at all times to preserve order, and to endeavor to conduct all business before the judicatory to a speedy and proper result.

V. It shall be the duty of the moderator carefully to keep notes of the several articles of business which may be assigned for particular days, and to call them up at the time appointed.

VI. The moderator may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the judicatory by any two members.

VII. The moderator shall appoint all committees, except in those cases in which the judicatory shall decide otherwise.

VIII. When a vote is taken by ballot in any judicatory, the moderator shall vote with the other members; but he shall not vote in any other case, unless the judicatory be equally divided; when, if he do not choose to vote, the question shall be lost.

IX. The person first named on any committee shall be considered the chairman thereof, whose duty it shall be to convene the committee; and in case of his absence or inability to act, the second named member shall take his place and perform his duties.

X. It shall be the duty of the clerk, as soon as possible after the commencement of the sessions of every judicatory, to form a complete roll of the members present, and put the same into the hands of the moderator;

and it shall also be the duty of the clerk, whenever any additional members take their seats, to add their names, in their proper places, to the said roll.

XI. It shall be the duty of the clerk immediately to file all papers, in the order in which they have been read, with proper indorsements, and to keep them in perfect order.

XII. The minutes of the last meeting of the judicatory shall be presented at the commencement of its sessions, and if requisite read and corrected.

XIII. Business left unfinished at the last sitting is ordinarily to be taken up first.

XIV. A motion made must be seconded, and afterwards repeated by the moderator or read aloud, before it is debated; and every motion shall be reduced to writing, if the moderator or any member require it.

XV. Any member who shall have made a motion shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon; but not afterwards, without the leave of the judicatory.

XVI. If a motion under debate contain several parts, any two members may have it divided, and a question taken on each part.

XVII. When various motions are made with respect

to the filling of blanks with particular numbers and times, the question shall always be first taken on the highest number and the longest time.

XVIII. Motions to lay on the table, to take up business, to adjourn, and the call for the previous question, shall be put without debate. On questions of order, postponement, or commitment, no member shall speak more than once. On all other questions each member may speak twice, but not oftener, without express leave of the judicatory.

XIX. When a question is under debate, no motion shall be received, unless to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order in which they are herein arranged; and the motion for adjournment shall always be in order.

XX. An amendment, and also an amendment to an amendment, may be moved on any motion: but a motion to amend an amendment to an amendment shall not be in order. Action on amendments shall precede action on the original motion.

XXI. A distinction shall be observed between a motion to lay on the table for the present, and a motion to lay on the table unconditionally, viz: A motion to lay on the table for the present shall be taken without debate, and, if carried in the affirmative, the effect shall be to place

the subject on the docket, and it may be taken up and considered at any subsequent time. But a motion to lay on the table unconditionally shall be taken without debate, and if carried in the affirmative, it shall not be in order to take up the subject during the same meeting of the judicatory, without a vote of reconsideration.

XXII. The previous question shall be put in this form, namely: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and the effect shall be to put an end to all debate, and bring the body to a direct vote, first, on a motion to commit the subject under consideration, (if such motion shall have been made;) secondly, if the motion for commitment does not prevail, on pending amendments; and lastly, on the main question.

XXIII. A question shall not be again called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of two-thirds of the members who were present at the decision; and unless the motion to reconsider be made and seconded by persons who voted with the majority.

XXIV. A subject which has been indefinitely postponed, either by the operation of the previous question or by a motion for indefinite postponement, shall not be again called up during the same sessions of the judicatory, unless by the consent of three-fourths of the members who were present at the decision.

XXV. Members ought not, without weighty reasons, to decline voting, as this practice might leave the decision of very interesting questions to a small proportion of the judicatory. Silent members, unless excused from voting, must be considered as acquiescing with the majority.

XXVI. When the moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified, and the moderator shall recommence taking the vote.

XXVII. The yeas and nays on any question shall not be recorded, unless required by one-third of the members present.

XXVIII. No member, in the course of debate, shall be allowed to indulge in personal reflections.

XXIX. If more than one member rise to speak at the same time, the member who is most distant from the moderator's chair shall speak first.

XXX. When more than three members of the judicatory shall be standing at the same time, the moderator shall require all to take their seats, the person only excepted who may be speaking.

XXXI. Every member, when speaking, shall address himself to the moderator, and shall treat his

fellow-members, and especially the moderator, with decorum and respect.

XXXII. No speaker shall be interrupted, unless he be out of order, or for the purpose of correcting mistakes or misrepresentations.

XXXIII. Without express permission, no member of a judicatory, while business is going on, shall engage in private conversation; nor shall members address one another, nor any person present, but through the moderator.

XXXIV. It is indispensable that members of ecclesiastical judicatories maintain great gravity and dignity while judicially convened; that they attend closely in their speeches to the subject under consideration, and avoid prolix and desultory harangues; and when they deviate from the subject, it is the privilege of any member, and the duty of the moderator, to call them to order.

XXXV. If any member act in any respect in a disorderly manner, it shall be the privilege of any member, and the duty of the moderator, to call him to order.

XXXVI. If any member consider himself aggrieved by a decision of the moderator, it shall be his privilege to appeal to the judicatory, and the question on the appeal shall be taken without debate.

XXXVII. No member shall retire from any judica-

tory without the leave of the moderator, nor withdraw from it to return home without the consent of the judicatory.

XXXVIII. All judicatories have the right to sit in private on business which in their judgment ought not to be matter of public speculation.

XXXIX. Besides the right to sit judicially in private, whenever they think proper to do so, all judicatories have a right to hold what are commonly called "interlocutory meetings," in which members may freely converse together without the formalities which are usually necessary in judicial proceedings.

XL. Whenever a judicatory is about to sit in a judicial capacity, it shall be the duty of the moderator solemnly to announce from the chair that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.

XLI. In all cases before a judicatory, when there is an accuser or prosecutor, it is expedient that there be a committee of the judicatory appointed, (provided the number of members be sufficient to admit it without inconvenience,) who shall be called the "Judicial Committee," and whose duty it shall be to digest and arrange all the papers, and to prescribe, under the direction of

the judicatory, the whole order of proceedings. The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the cause as members of the judicatory.

XLII. But in cases of process on the ground of general rumor, where there is, of course, no particular accuser, there may be a committee appointed, (if convenient,) who shall be called the "Committee of Prosecution," and who shall conduct the whole course on the part of the prosecution. The members of this committee shall not be permitted to sit in judgment in the case.

XLIII. The moderator of every judicatory above the church Session, in finally closing its sessions, in addition to prayer, may cause to be sung an appropriate psalm or hymn, and shall pronounce the apostolical benediction.

B.

ACT OF INCORPORATION.

Be it enacted, That F. H., N. P., C. W., A. D., C. R., and their associates, who are now, or may hereafter become, members of the congregation of the ——— Presbyterian church of ———, in the ———, under the rules, regulations, or by-laws of the same, be, and they are hereby, created a body corporate, under the name of "The Congregation of the ——— Presbyterian Church of ———," and as such shall have perpetual succession;

may purchase, hold, and convey personal and real estate; make contracts; sue and be sued; plead and be impleaded; and may generally exercise and enjoy all such powers as are usually vested in corporations, and as may be necessary or incident to sustaining religious worship, Sabbath schools, missionary and charitable enterprises in the ———, and no others; and said corporation shall be exempt from any taxes to be assessed upon their corporate property under the authority of ———, or of the city or county of ———: *Provided*, That the value of all property so exempt shall not exceed ——— dollars.

Sec. 2. *And be it further enacted*, That the title to any lands, buildings, and property, heretofore conveyed to said congregation, or to any person or persons for the use and benefit of the same, or of the said ——— Presbyterian church, is hereby vested in and confirmed to said corporation.

Sec. 3. *And be it further enacted*, That it shall be lawful for said congregation, at its first meeting subsequent to the passage of this act, to be held at such time and place as the persons named in the first section of this act may designate, by a majority of the members present, to adopt such by-laws as they may deem expedient, regulating the government of said corporation; prescribing the number, character, and duties of their officers, and the manner of their election; defining the terms on which persons may become, or cease to be, members of said corporation; and providing in all things for the holding and disposal and conveyance of its real and personal estate, and for the management of said

congregation; which by-laws may be amended or repealed from time to time, under such regulations as said congregation may adopt: *Provided*, That no by-laws shall be adopted or remain in force inconsistent with the Government or laws of the United States, or with the Constitution and authority of the Presbyterian Church in the United States of America.

SEC. 4. *And be it further enacted*, That ——— reserves the right to alter, amend, or abolish this charter at pleasure.

APPROVED ———.

C.

BY-LAWS.*

ART. I.—*Of Officers.*

SECTION 1. The officers of this congregation shall consist of a president, clerk, treasurer, and —— trustees, a majority of which Trustees shall be members of the church.

SEC. 2. It shall be the duty of the president to preside at all meetings of the congregation, but in his absence a temporary presiding officer may be chosen.

SEC. 3. It shall be the duty of the clerk to keep a list of the members of the congregation, to keep a record of the proceedings of all meetings of the congregation, and when approved by them, to enter the same in a suitable

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*These by-laws make a distinction between the church and the congregation, and have reference exclusively to meetings for the transaction of temporal affairs.

book to be kept for that purpose; to file and carefully preserve all papers of which he may have the custody; to give notice of annual meetings of the congregation; and to perform generally any act properly pertaining to his office.

SEC. 4. It shall be the duty of the Treasurer to keep an account-book and also a bank-book, both of which shall be the property of the congregation, and shall be open at all times to the board of trustees; to receive all moneys belonging to the congregation, and promptly to disburse the same on the written order of the board of trustees, but without such order no money shall be paid by him, except for salaries regularly authorized, and such amounts as may from time to time be required by the Session of the church for temporary pulpit supplies and other incidental expenses incurred by them. He shall present a detailed statement of his accounts to the board of trustees at their regular meeting next preceding the annual meeting of the congregation, and at such other periods as the board may direct; and shall give bonds for the faithful discharge of his duties in such sum as they may require.

SEC. 5. It shall be the duty of the trustees to hold the property and manage the financial affairs of the congregation, but no change shall be made in the salary of the pastor or rental of the pews, or in the permanent fixtures or arrangement of the church building, nor shall expenses be incurred by them amounting in the aggregate to more than ——— dollars in any year, without the consent of the congregation. They shall meet for the transaction of business at least once each month;

shall carefully examine and audit the accounts of the treasurer; and present at each annual meeting of the congregation a statement of the receipts and expenditures of the preceding year, with an estimate of the amount required for the ensuing year. They shall not (except with the concurrence of two-thirds of the members of the congregation present at a regular meeting, at least one-half of whom shall be members of the church, notice of which, on two consecutive Sabbaths, stating such purpose, shall have been given) convey, mortgage, or in any manner encumber the title to any real estate held by them in trust for the congregation.

ART. II.—*Of Elections.*

SEC. 1. The President and Treasurer shall hold their offices respectively for one year, the clerk during the pleasure of the congregation, and the trustees for three years; but at the first election the person receiving the highest number of votes shall hold his office for a term of three years, the two receiving the next highest number two years, and the two receiving the next highest number one year: *Provided*, That should more than two receive the same number, or more than one the highest number, their respective terms shall be determined by lot, and the vacancies, as they occur from year to year, shall be filled by new elections.

SEC. 2. The regular election of officers shall be held at the annual meetings and by ballot, and each officer shall continue in office until his successor shall be elected and qualified by accepting the same; but vacancies

occurring during the year shall be filled at special meetings of the congregation.

ART. III.—*Of the Membership.*

The members of this congregation, under its corporate charter, shall consist of all pew-holders over eighteen years of age who shall have occupied and paid the rent of a pew, or part of a pew, for at least ——— months; but no member shall be permitted to vote at any meeting who is in arrears more than ——— months; and it shall be the duty of the clerk to drop from the roll of membership of the corporation any person whose dues shall remain unpaid more than one year: *Provided*, That all communicants of the church shall be considered as members of the congregation: *And provided further*, That the persons holding certificates entitling them to the occupation of pews in consideration of money loaned to the church shall not be considered in arrears of rent.

ART. IV.—*Of Business Meetings.*

SEC. 1. The annual meeting of the congregation shall be held the ——— in ———, of each year, at——— o'clock, ———, in the lecture-room of the church, or at such time and place, within thirty days thereafter, as the trustees shall designate, by public notice of the same previously given.

SEC. 2. Special meetings may be called by the Session of the church, by the deacons, by the trustees, or at the request in writing, directed to the Session or trustees, of ——— members of the congregation, giving notice

of the same from the pulpit the Sabbath immediately preceding, at the regular morning service; which notice shall state specifically the business to be transacted, and no other business shall be entertained or done at such meeting.

SEC. 3. A quorum for the transaction of business shall consist of ——— members, but a less number may adjourn from time to time, and the record of each meeting shall state whether a quorum was present.

SEC. 4. All meetings of the congregation shall be opened and closed with prayer.

ART. V.—*Of the Church Edifice.*

The care, preservation, and general control of the church edifice shall devolve upon the trustees. It may be opened by the Session at any time for meetings for religious purposes, and for meetings of any of the generally recognized and approved organizations for christian enterprise or benevolence. Applications for its use for any other purpose shall be made in writing to the clerk of the Session, and unless deemed improper by the Session, shall be transmitted by them, without approval or disapproval, to the trustees, who shall have power to grant the same at any meeting regularly convened, all the members present concurring.

ART. VI.—*Of the Relations of the Church and Congregation.*

The organization of this congregation is understood and declared to be incidental to and in furtherance of the purposes and ends of the organization of the ———

Presbyterian Church of ———, and the election of elders and deacons, the control and direction of public worship, and any other matter of business which, by authority or usage of the Presbyterian Church in the United States, pertains exclusively to the officers of the church or communicants thereof, shall be under the control and management of such officers and communicants.

ART. VII.—*Amendments.*

These by-laws may be amended at any regular meeting, three-fourths of the members present concurring: *Provided*, Notice that amendments are to be proposed shall have been given on the preceding Sabbath.

D.

FORM OF ADMISSION TO THE CHURCH.

Address.

Beloved friends, you have presented yourselves before God and this assembly, to make a solemn profession of your religious faith, and to take upon yourselves everlasting obligations. We trust that you have duly considered the nature of these professions, and of the engagements into which you are about to enter. They are of the most solemn moment, and upon the faithful observance of them your eternal happiness will depend.

But be not disheartened. If you come with sincere desires toward God, and in the exercise of humble faith

in the Saviour, he will impart to you grace and wisdom, and finally make you partakers of eternal blessedness.

Profession of Faith.

You believe in the existence of one living and true God; that he is a Spirit, infinite, eternal, and unchangeable in his attributes and perfections.

You believe that there are three persons in the godhead—the Father, the Son, and the Holy Ghost; and that these three persons are one godhead, the same in substance, and equal in power and glory.

You believe that Jesus Christ is very God and very man, yet one Christ; that two perfect and distinct natures, the human and divine, were inseparably joined in one person, and that this person is the only Mediator between God and man. You believe that the Lord Jesus Christ, by his perfect obedience, and by his sacrifice of himself, has opened a way of reconciliation between God and man; so that all who receive Christ by faith may be forgiven of God, and saved from their sins.

You believe that our first parents, being left to the freedom of their own will, fell from the estate wherein they were created, by sinning against God; and that their fall brought mankind into an estate of sin and misery.

You believe that such is the depravity of the human heart, that the Holy Spirit alone is able to bring man to repentance and to faith.

You believe the Sacred Scriptures to be the revealed

word of God, and as such the only infallible rule of faith and practice.

You believe in the necessity of regeneration, and in the promises of justification, adoption, and final perseverance, God's free gifts, to all those who truly repent of their sins and believe on the Lord Jesus Christ.

You believe that Christ has instituted an external and visible church, whose sealing ordinances, to the end of time, are baptism and the Lord's supper; and that these two ordinances are the only sacraments of his church; that baptism is to be administered to all who make a credible profession of their faith and to their infant children; that the Lord's supper is to be administered only to those who profess to have been renewed by the Holy Spirit.

You believe in the immortality of the soul, and the resurrection of the body; in a day of judgment; in a future and eternal state of reward and punishment.

You thus profess to believe?

[*Here the ordinance of baptism is to be administered, if necessary.*]

Covenant.

In the presence of God and this assembly, you do now most solemnly avouch the Lord Jehovah—Father, Son, and Holy Ghost—to be your God, the supreme object of your affections, and your portion forever. You cordially acknowledge the Lord Jesus Christ to be your Redeemer, and the Holy Spirit to be your Sanctifier, Comforter, and Guide. You cheerfully devote yourselves to God, in the everlasting covenant of his grace,

consecrating all your powers and faculties to his service and glory; and you promise that through the assistance of his Spirit you will ever cleave to him, giving diligent attendance to his word and ordinances, and seeking the honor and interest of his kingdom; and that henceforth, denying all ungodliness and every worldly lust, you will live soberly, righteously, and godly in this present world.

You do also most solemnly promise, that, by the grace of God assisting, you will maintain a holy fellowship and communion with this christian church, in the worship of God, in a punctual attendance upon its ordinances, and in the performance of such other spiritual services as may tend to mutual edification.

You do also, in like manner, promise that you will faithfully submit yourselves to the government and discipline of this church, and that you will walk humbly and circumspectly in all its requirements.

You thus promise?

[*Here the members of the church will rise.*]

In consequence of these professions and engagements, we do cordially receive you into our holy fellowship and communion, and in the name of Christ welcome you to all its immunities and privileges; and on our part do most solemnly promise to be kindly affectioned toward you, watching over your spiritual interests and promoting your spiritual welfare so long as God, in his providence, may spare us to each other. Should you have occasion to change your place of residence, it will be your duty to seek, and ours to grant, a

recommendation to another church; for hereafter you can *never* withdraw from the watch and communion of saints without a breach of covenant.

And now, beloved in the Lord, let it never be forgotten that you have come under solemn obligations, from which you cannot escape. Wherever you go, these vows will be upon you. They will follow you to the bar of God, and will abide upon you forever. The Lord guide and preserve you.

And may grace, mercy, and peace, from God the Father, Christ Jesus our Lord, and the Holy Spirit, ever attend this holy union: Amen.

E.

FORM OF DOCKET.

1. Sermon by the moderator.
2. Open the session with prayer.
3. Call the roll.
4. Elect a moderator.
5. Elect temporary clerk.
6. Read the minutes.
7. Report of committee of arrangements.
8. Adjourn.
9. Devotional exercises.
10. Call roll.
11. Read minutes of last session.
12. Call absentees.

13. Appoint committees:
    - (*a*) Judicial.
    - (*b*) Bills and overtures.
    - (*c*), (*d*), (*e*) *Fall meeting.*
        - Narrative for Synod.
        - Statistics for Synod.
        - Minutes of Gen. Assembly.
    - (*c*), (*d*), (*e*) *Spring meet.*
        - Narrative for Assembly.
        - Statistics for Assembly.
        - Minutes for Synod.
    - (*f*) Treasurer's accounts and assessments.
    - (*g*) Devotional exercises.
    - (*h*) On records.
14. Reference of papers to committees.
15. Fix place of next meeting.
16. Free conversation on religion.
17. Report of (or election of) Commissioners to General Assembly.
18. New business.
19. Reports from standing committees.
20. Reports from temporary committees.
21. Read and correct minutes.
22. Adjourn.

F.

FORM OF BEQUESTS TO BOARDS.

In the preparation of wills, when it is desired to make bequests to the General Assembly or any of its Boards, care should be taken to insert the corporate name, as known and recognized in the courts of law.

Bequests for the GENERAL ASSEMBLY should be made to "*The Trustees of the General Assembly of the Presbyterian Church in the United States of America.*"

BOARD OF HOME MISSIONS, should be made to "*The Board of Home Missions of the Presbyterian Church in the United States of America*, incorporated April 19th, 1872, by act of the Legislature of the State of New York."

BOARD OF FOREIGN MISSIONS, to "*The Board of Foreign Missions of the Presbyterian Church in the United States of America.*"

BOARD OF CHURCH ERECTION, to "*The Board of Church Erection Fund of the General Assembly of the Presbyterian Church in the United States of America*, incorporated May 5th, 1871, by the Legislature of the State of New York."

BOARD OF EDUCATION, to "*The Trustees of the Board of Education of the Presbyterian Church in the United States of America.*"

THE COMMITTEE ON THE MINISTERIAL RELIEF FUND are not incorporated, and require the following form of bequest:

"I give and bequeath to my executors, hereinafter named, ——— dollars, in trust, nevertheless, that they shall, within —— months after my decease, pay the same to the *Trustees of the General Assembly of the Presbyterian Church in the United States of America*, for the use of the fund for disabled ministers and their families.

THE COMMITTEE ON FREEDMEN are not incorporated. Bequests for their treasury may be made to trustees of

the General Assembly, as above, to be appropriated to this object.

G.

CERTIFICATE OF DISMISSION.

This is to certify that ——— is a member in good standing of the ——— church of ———, and that *he* is hereby dismissed at *his* own request, and affectionately recommended to the fellowship of ———, or of any other church in our communion with which God in his providence may order *his* lot, and when so received *his* responsibility to this church will cease. By order of Session.

——— ———,
Moderator.

Given at ———, on the —— day of ———, 18—.

☞ This certificate is valid only for one year from its date, "except where there is no opportunity of presenting it to a church." (See Book of Discipline, chapter xi, section 2.)

H.

CERTIFICATE OF RECEPTION.

This is to certify that ———, recommended by the Session of the ———, was, on the —— day of ———, 18—, received as a member in good and regular standing of the ———.

Attest: ——— ———,
Stated Clerk.

To ——— ———,

———, ———.

I.

LETTER OF CREDENCE.

To the ——— *Church of* ——— *and Christian people, greeting.*

This testimonial certifies that ——— and ——— are members in good standing, communicants in the —— Presbyterian church of ———. And that during their temporary sojourn at ———, with their baptized children, *they* are commended to the fellowship and care of ———.

And should they remain, they are directed, as early as may be practicable, to transfer their connection by regular dismission from this church.

Given by order of Session:

——— ———, *Moderator.*

——— ———, *Clerk.*

Dated: ———, 18—.

K.

PRESBYTERIAL DISMISSION OF A MINISTER.

This is to certify that the Rev. ——— is a member in good and regular standing in this Presbytery, and is now, at his own request, dismissed, to unite with the ———, to whose fraternal affection and fellowship he is hereby cordially recommended.

Attest: ——— ———.

Stated Clerk of the ———.

Done in Presbytery on this —— of ———, A. D. —.

L.

PRESBYTERIAL DISMISSION OF A LICENTIATE.

This is to certify that Mr. ——— is a licentiate in good and regular standing under the care of this Presbytery, and that he is at his own request dismissed, to place himself under the care of the ———, to whose ecclesiastical supervision and affectionate regard he is cordially recommended.

Attest: —— ——.

Stated Clerk of the ———.

Done in Presbytery on this —— of ———, A. D. —.

M.

MARRIAGE CERTIFICATE.

This certifies that ———, of ———, and ———, of ———, were by me united in the bonds of marriage, at ———, on the —— day of ———, in the year of our Lord one thousand eight hundred and ———, conformably to the ordinance of God and the laws of the State.

—— ——.

—— ——
—— ——
} *Witnesses present at the marriage.*

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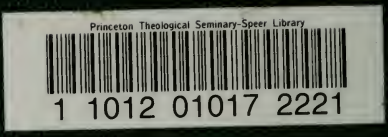
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